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	Plaintiffs,	BRUC	E R. GREENE ve American	Birbto F	ממנו
			Broadway	WIRINGS I	14144
vsvs		Boult	der. Colorad	io 80302	
	A STEEL COMEANY	Tele	phone (303)	447-8760	1
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SECRETARY OF THE I	NTERTOR: JOHN	MICH	AFL O'MALLE	ζ	
N. MITCHELL, UNITE	D STATES ATTORNEY	Cali	fornia India	n Legal	Services
GENERAL : CITY OF	ESCONDIDO,	— fo8ŏ	W. Washing	con Avenu	le
			. Box 1858 endido, Calif	Pornia C	2025
-14	Defendants,	1 1	phone (714)	746-8941	,
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-52					
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TATO PROPERTIES		For	defendant:		
					
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Basis of Action: Injunctive	Docket fee	- -		<u> </u>	
Relief; Restitution, etc	Witness fees		_		
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Relief; Restitution, etc. Action arose at: San Diego	Depositions				
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Pacific Region (Laguna Niguet)



RINCON BAND OF MISSION INDIANS

ESCONDIDO MUTUAL WATER COMPANY, ec

DATE	PRODUCE	Data Order or Judgment Nuite
195760	Fld Complt for Declaratory Relief, Restitution, Breach of Contract,	
20/05	Injunctive Relief. Trespans and Conversion purs to 28 USC 1331 and	
	1362, and 28 USC 2201 - 2202; Exhibits A thru F artchd thereto;	
	Issd Split Summons; MADE JS-5 CARD;	
	Jury Trial Demanded	
	July 17 141 Demanded	
5/6/69	Fld Memorandum of Prs & Auths; Affild of Robert S. Pelcyger; Exh C	
	thru I attched thereto; Certificate of applicant's atty; Application	
_	for Ord to Show Cause; Mrn for Temp. Restraining Order; Motion for	
7/69	preliminary injunction; Fld Order to Show Cause & Temp Restraining Order, (K) Hrg set for	
	Arre 15 1060mor 7 P M ·	
77/69	Fld Undertaking on Temp. Restraining Order in the sut of \$500.00	
- ,	/The Twompalese Indomnity Col	
78/69	Fld note of mtn, Mtn for Prelim Injunction; Noted for 8/15/69, 2 PM;	
8/15/6	Read of the contract of the contract of the second of the contract of the cont	
•	Polovger Security Bond refund	
X/13/69	For and \$500 ageh hand posted \$/7/69 . be returned to owner.	\
	Touch hand replaced by \$500. Traveler's Indemnity Company Bune.	
271876G	Fld stip & ord for cont & for extension of temp restraining ord;	
	Ord time extended to 9/12/69 at 20m. (K)	<u> </u>
(7) 57 <u>8</u> 0	The and box on 0 S C & T R 80 court to 4/13/69 St ZDM (K)	<u> </u>
1/20/60	Fld summons returned executed as to Mrs. Lola M. Rollins & Mrs.	<u> </u>
21 53 1 68	Tit Brannons returned executed to to the	
	Rachel C. Eyerts. Fld summons returned executed as ot Miss Dorothy D. Cutler and by	
	Air Mail to Atty General Wash D.C.	
	Alf Mail to Atty General wash b.c.	
/10/69	Fld stip & Ord ext time to ans or otherwise move, (K) Time ext to	T
<u> </u>	include 10/20/69;	
<u> </u>	And stip & Ord for con't & for ext of Temp Restraining Ord, (K)	
· ·	1 td to 10/3/69, at 10:00 A.M.;	
	Midd note of mto to dismiss. Noted for 10/15/69, at 2 P.M.; Memo of Points & Auths;	
ž	Fld note of min for Declaratory relief & for preliminary injunction	
1078 /AG	IFIG Memo of Pts & Auths by the City of Escondido & the Escondido Mu	-
10,0,0	tual Water Co. in response to Ord to Show Cause & in oppo to mtn for	c
	preliminary Injunction;	<u> </u>
	Fld affid's of B.C. Wohlford, David M. Brown, Albert A. Webb, Max	
	Bookman, Louis Whyte, J. M. Burns, Jr., Kenneth I. Mullen, John A.	
	Williamson and Proof of service by mail;	<u> </u>
- 20 45	Williamson and Floor of Service of Dear Angle by the City of	·
10/4/6	Fld corrected table of Auth's to Memo of Pts & Auths by the City of	
<u> </u>	Escondido & the Escondido Mutual Water Co. in response to OSC & in	
<u> </u>	oppo to mtn for prelim injunction;	
<u> </u>	Fld Memo of Deft's City of Escondido & Escondido Mutual Water Co in	
<u> </u>	oppo to mins of Plif's for declaratory relief & pressm injunction;	
	Fid Notice of Pendency of other action or proceeding;	
<u> </u>	Fld mtn of Deft's City of Escondido & Escondido Mutual Water Co. fo	
	averaging of time to respond to the complete	
T	Fld Memo of Pra & Auth's of Deft's City of Escondido & Escondido	-
1	illing to the company of the company	16;
77086	d. Pld make of who of Daft's City of Escondido & Escondido MULUAL	
7720/	Water Co. for ext of time to respond to the complt & Ord thereon. Mtn to be heard on 10/15/69, at 2 P.M.;	(\$.)
	Mtn to be beard on 10/15/69, at 2 P.M.:	
17016	9 Fld stip & Ord for con't & for ext of temp restraining Ord; Ext to	
1 TO P	Y FIG STIP & UTG TOT COR E & 101 END TEND TENDER THE STITLE STITL	
	10/15/69 & OSC hrg con'td to 10/15/69, at 2 P.M.;	

Case 3:69-cv-00217-S-HRM Document 1 Filed 05/28/08 Page 4 of 33

Received at: 9:07AM, 5/28/2008

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Pacific Region (Engine Niguel)

69-217-KS

RINCON BAND OF MISSION INDIANS Vs ESCONDIDO MUTUAL WATER CO.ec al

DATE	PROCESIDINGS	Date Order or Judgment Note
10/10/69	Fld Exhibits F, G and H to affid of David N. Brown; Proof of service	* *
10/14/69 10/15/69	Fld affid of Robert S. Pelcyger; Fld supple Memo of Pts & Auths: Affid's of Frank Mazzetti, Florence	
	C. Shipek and Robert C. Fox: Fld mtn for continuance; Pts & Auths in suppr of mtn; Affidavit	
10/15/6	of Robert S. Pelcyger; Ent hrg Pltf's pet for Writ of Mandamus; OSC & temp restraining	
	Ord con'td to 10/29/69 at 2 P.M.; Ord mtm of Deft's Escondido Mutual Water Co for ext of time to respond to the complt & Ord shortening t	CHERRE
0/22/69	time granted; Deft to by to 11/17/69 to respond to complt. (S) Fld supple memo of Pta & Auths by the City of Escondido Mutual Water	
	Co in response to Ord to Show Cause a in oppo to min tor present	
10/23/69 10/27/69	Fld affidavit of Robert S. Pelcyger; Purl Willis	
	Fld petition for ly to proceed in forms pauperis; Fld affid of poverty in suppt of Pltf's petition for ly to proceed	ļ
0/29/69	in forms payperis: Secold suppl memo of Pts & Auths:	
10/29/69	to Pitr's petition for iv to proceed in John Interior shall execute	
	for their discretion to either proceed in this action, bring a separate faction or clearly indicate in writing within approx 45 days fr today	r eria
	why they feel the best interest of the Indians will demand that scti not be proceeded with in this matter by the Govt; IT IS ORD a fur hrg shall be held on 12/17/69 at 2 PM. (S)	Osa
14	TT TO PID APA that during this ad a arelim Injunction shall 18800	
	enjoining Deft fr any sale & IT IS ORD the cash or surety bond press posted shall continue in effect during the Prelim Injunction & three	DCLY P
	12/17/69; (S) IT IS FUR ORD counsel for the Pltf shall prepare an Ord & to server	Ħ
11/5/60	on other parties as to form for approval, (8) LODGED - Findings of Fact & Conclu's of Law;	. P .
	LODGED - Order for Preliminary Injunction; Fld stip & Ord ext time to ans or otherwise move. (S) Time ext to	
	& include 12/29/69; Fld Ord directing Atty Gen. & Sec. of Interior to exercise discre-	
	tion & con't temp restraining Ord, (S) Fld note of min for Summary Jemt purs to Rule 56; Noted for 12/17/6	ŀ
	er 2 P.M.; Fld Ord con't hrg of Pltf's mtn for Summary Jgmt, (S) Con'td to	
12/11/03	5/22/70, at 2 P.M.; Fld Affid of John A. Williamson;	
12/12/6	Fid Second Supple Memo of Prs & Auths by The City of Escondido & the Escondido Mutual Water Co. in Besponse to OSC & in Oppo to Mrn for-	20
	Prelim Injunction. (12/12/69): Affid of Paul D. Engstrand:	
19/17/6	Fld Third Supplamental Memo of Pts & Auths; 9 Fld Fourth Supple Memo of Pts & Auths;	
	9 Fld Response of Atty Gen. & Sec. of the Interior to Court Ord dated Nov. 26, 1969; Exh. A & B attand thereto;	
12/17/ 12/17/	69 Ent brg on OSC & temp restraining Ordex, (S) 69 Ent Ord Pltf's exh'sl thru 6 warked & Ord returned to commael, (S Ent Ord that Pltf's applic to compal Govt. to become party to comp	
	is hereby denied. (5)	
	Ent Ord that Govt's min to dismiss is hereby denied, (S)	

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& mor until Ent () Ent	rd that OSC is denied & the Temp restraining Ord is discharged ics Deft receives fr sale shall be deposited in reg of court fur Ord of the Court. (S) rd Pltf's mtn for Injunction pending appeal is hereby denied. (rd that Pltf's mtn for an earlier brg date then 5/22/70 is dec(S) application for reheaving; Exh. "R" artchd thereto; order denying application for reheaving, (S) ENT 2/2/70 ppo by Deft's Escondido Mutual Water Co. & City of Escondido to application for reheaving; bjections's to proposed Findings of Fact & Conclusions of Law & request for additions & amendments; D- Order: Dissolving Temp. Restraining Ord; Denying mtns for projunctions; Granting pralim injunction; Denying mtn for an injunctions; Granting pralim injunction; Denying mtn for an injunction appeal; Denying Ord to require Atty Gen. to provide representation or security; Granting mtn & Deft Mitchell to as; and Denying mtn of Deft Hickel to dismiss; Pltf's Interrogs to Deft Escondido Mutual Water Co.; Pitdings of Fact & Conclus of Law; Ord (1) Dissolving Temp. Restraining Ord; (2) Denying mtns for im injunctions; (3) Denying mtn for an injunction pending appearance of many subject to Court Order. Denying demand that U.S. furnish legal representation or security denying demand that U.S. furnish legal representation or security.	
8 mor until Ent () Ent	fur Ord of the Court. (S) rd Pltf's mtn for Injunction pending appeal is hereby denied, rd that Pltf's mtn for sn earlier brg date then 5/22/70 is de- (S) application for rehearing; Exh "R" artchd thereto; Order denying application for rehearing, (S) ENT 2/2/70 ppo by Deft's Escondido Mutual Water Co. & City of Escondido to s application for rehearing; bjections's to proposed Findings of Fact & Conclusions of Law & r & request for additions & amendments; D- Order: Dissolving Temp. Restraining Ord; Denying mtns for projunctions; Granting pralim injunction; Denying mtn for an injunctions; Granting pralim injunction; Denying mtn for an injunctions appeal; Denying Ord to require Atty Gen. to provide r epresentation or security; Granting mtn of Deft Mitchell to ss; and Denying mtn of Deft Hickel to dismiss; Pltf's Interrugs to Deft Escondido Mutual Water Co.; Pitf's Interruge to Deft Escondido Mutual Vater Co.; Pitf's Interruge to Deft Escondido Mutual Vater Co.;	
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3/13/70 Fld 3/13/70 Fld 3/13/70 Fld 3/13/70 Fld pre1 (4)	rip: Re investment of money subject to Court Order, Findings of Fact & Concln's of Law; Ord (1) Dissolving Temp. Restraining Ord; (2) Denying mtns for Im injunctions; (3) Denying mtn for an injunction pending appearance description of securi	1 3
3/13/70 F1d 3/23/70 F1d pre1 (4) (4) (4) (5) (4) (5) (6) (7) (7) (8) (8) (8) (9) (9) (9) (10) (10) (10) (10) (10) (10) (10) (10	ordings of Fact & Concin & CI Law; ord (1) Dissolving Temp. Restraining Ord; (2) Denying mtns for in injunctions; (3) Denying mtn for an injunction pending appearance description of security description of security.	
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7/15/70 F1d 4/22/70 F1d And ins 5/15/70 F1d And f1d And And And And And And F1d F1d And F1d F1d F1d F1d F1d F1d F1d F	im injunctions: (3) Denying men for an injunction pending appearance demand that it S. furnish legal representation or securi	1 1
(4) ty: pre 3/19/70 Fld Fld Inte Fld Inte Fld Mut 4/9/70 Fld And ins the 5/15/70 Fld aff 5/15/70 Fld	<u> </u>	1 1
ty: prej		
3/19/70 Fld 3/27/70 Fld Fld Inte Fld Inte Fld And ins the 5/15/70 Fld App may 5/19/70 Fld Fld App may	and (5) Denying mtn of Deft's Mitchell & Hickel to Gismiss w/L	
Fld Inte Fld Inte Fld Mut 4/9/70 Fld And ins the 5/15/70 Fld aff 5/15/70 Fld And aff Fld	udice (S)	
Fld Inte Fld Inte Fld Mut 4/9/70 Fld And ins the 5/15/70 Fld aff 5/15/70 Fld And aff Fld	Notice of Signing Order; note of mtn & mtn to dismiss, Noted for 5/22/70, at 2 P.M.;	1
Interior Fld Interior Fld Mut Fld And Insert Fld And Insert Fld And Insert Fld	note of mtn & mtn to dismiss, Noted for 3/22//V, at 2 falls,	-
Fld Inte Fld Mut 4/9/70 Fld Fld And ins the 5/15/70 Fld aff 5/15/70 Flc App may 5/19/70 Fld	eft's City of Escondido & the Escondido Mutual Water Co's firs	
Inte Fld Mut 4/9/70 Fld Fld And ins the 4/22/70 Fl 5/15/70 Fld aff 5/15/70 Fld App may	rgos, (Rincon) Deft's City of Escondido & the Escondido Mutual Water Co's first	-
F1d Mut 4/9/70 F1d F1d And ins the 5/15/70 F1d aff 5/15/70 F1d App may 5/19/70 F1d	rogs. (La Jolla)	
4/9/70 Fld Fld And ins the 4/22/70 Fl 5/15/70 Fld aff 5/15/70 Fld may 5/19/70 Fld	Memo of Pts & Auths by the City of Escondido & the Escondido	
4/9/70 Fld	in) Water Co in culout of mtm to digmissi	
F1d And ins the 4/22/70 F1 5/15/70 F1d 5/15/70 F1d 5/15/70 F1d may 5/19/70 F1d	nore of mto for ext of time, atc. Noted for 5/22//U. At 4 F.A.	<u> </u>
And ins the 4/22/70 F1 5/15/70 F1d aff 5/15/70 F1d App may 5/19/70 F1d	men for art of time in which to file obl 8 OF CO 40% ANGELIONS.	
ins the 4/22/70 F1 5/15/70 F1d aff 5/15/70 F1d App may 5/19/70 F1d	with to Ord the Sec. of the Interior to make files available ID	,
4/22/70 F1 5/15/70 F1d aff 5/15/70 F1d App may 5/19/70 F1d	paction by Pirf's or in the alternative, to redieve ritt a or.,	<u></u>
5/15/70 Fld aff 5/15/70 Fld App may 5/19/70 Fld	obligation to any Interrogs: Affid of Robt. S. Melcyker:	
5/15/70 Fld aff 5/15/70 Fld App may 5/19/70 Fld	pet renewing pltf's requests for leave to proveed in Forma	
5/15/70 F16 App may 5/19/70 F16	peris. Lodged notice of appeal.	
5/15/70 F1c Apr may 5/19/70 F1d	Pitt's first suppl memo of P&A's in support of mot for summary judgment; &	-
May 5/19/70 Fld	d of service by mail.	rh
5/19/70 F1d	ORDER Denying re-newed request to proceed in Forms Pauperis wi	
5/19/70 F1d		
_5/19/70 Fld	cal; Fld ORDER upon payment of filing fee, "NOTICE OF APPEAL"	
l	6.4 ELA 1919AC 1984 METHOC AS OT ADE 1.2. LD(U. 12.JAB)ANDONALL	
E 700 770 1 101 4	ord transferring case under Local Rule 2 to the calendar of Judga Schwartz	(\$)
E /22 /20 Ev-	on transferring case under Local Rule 2 to the calendar of Judge Schwartz all further proceedings. (T) (S)	0
2/22/10 Elli	on transferring case under Local Rule 2 to the calendar of Judge Schwartz all further proceedings. (T) (S) stipulation & ord for cont by pltf represent to 6.2/70 at 2pm for hrg mots.	
7, 100 170 171 21 4	on transferring case under Local Rule 2 to the calendar of Judge Schwartz all further proceedings. (T) (S) stipulation & ord for cont by pltf represent to 6.2/70 at 2pm for hrg mots.	1
5/95/70 P1A	on transferring case under Local Fule 2 to the calendar of Judge Schwartz all further proceedings. (T) (S) stipulation & ord for cont by pltf KANXWAKE to 6.2/70 at 2pm for hrg. nots ord that the hrg now sep for 6/12/70 is cont to 7/24/70 at 2pm on mot due to transfer of the case to the calendar of Judge Edward J. Schwartz. (S)	
Sch	on transferring case under Local Rule 2 to the calendar of Judge Schwartz all further proceedings. (T) (S) stipulation & ord for cont by pltf KANXWAKE to 6.2/70 at 2pm for hrg. nots ord that the hrg now sep for 6/12/70 is cont to 7/24/70 at 2pm on mot due to transfer of the case to the calendar of Judge Edward J. Schwartz. (S) "NOTICE OF APPEAL" S250 Travelers Indemnity Co. Performance Bond on Appeal (E.J.	
	on transferring case under Local Rule 2 to the calendar of Judge Schwartz all further proceedings. (T) (S) stipulation & ord for cont by pltf KANXWAKE to 6.2/70 at 2pm for hrg. nots ord that the hrg now sep for 6/12/70 is cont to 7/24/70 at 2pm on mot due to transfer of the case to the calendar of Judge Edward J. Schwartz. (S) "NOTICE OF APPEAL" S250 Travelers Indemnity Co. Performance Bond on Appeal (E.J.	1979
6/1/70 F1	on transferring case under Local Fule 2 to the calendar of Judge Schwartz all further proceedings. (T) (S) stipulation & ord for cont by pltf KANNENKE to 6A12/70 at 2pm for hrg nots ord that the hrg now sen for 6/12/70 is cont to 7/24/70 at 2pm on mot due to that the hrg now sen for 6/12/70 is cont to 7/24/70 at 2pm on mot due to transfer of the case to the calendar of Judge Edward J. Schwartz. (S) "NOTICE OF APPEAL" \$250 Travelers Indemnity Co. Performance Bond on Appeal (E.J. PATE) (ED) ord to show preserved cause & temp restrains ord & Prelimin	ягу

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Received at: 9:07AM, 5/28/2008

MAY. 28. 2008 8:39AM

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P. 7¹⁵69-217-S

(5)

DATE	PROCEEDINGS	Date Order or Judgment Note
6/22/70	Fld mot for preliminary injunction and memocof P&A's in support	
O, EE, 10	thereof: T/W mot for temporary restraining order.	
6/22/70	Fld affid of Robert S. Pelcyger, with exhs attached.	
	Fld OSC and from restration restraining order set for July 1, 1970, 10 A.M.	
	ond Facondido Mutual Water Co. City of Eacondido enter into any transaction re	
	Escondido Mutual Water co, ord City of Escondido are directed to hold as "not	accepted"
off	ers re stock until fur ord of ct, said ord to expire within 10 days after entry un	22 1070
	extended, fur and service of this man asc he served defts on or before June (S) Ord pints to post cash or surety band in ant of \$500.	EE 3 4210
/23/70	Fld undertaking on temporary restraining order; KK Fld \$500.	
	Travelore Indomnity Company bond posted 7/23/70(S)	
6/29/70	Fld affid of personal service by San Kolb; T/W; Alld bl service	
	delivery to atty personally as to Robert S. Pelcyger; Affid of	
	named a _ delivery to afty nergonally by Damiel J. 124115 and alle	}
	of service - delivery to attorney personally by Robert S Pelcyger.	<u> </u>
6/30/70	Ent ord that CSC & Temp restraining Ord, filed on 6/22/70 be extens	ed
91.24114	to 7/8/70 at 10am; Fur ord all memo & affids to be submitted, be	
	fid on or before 7/1/70 (S)	
6/30/70	Fld on or before 7/1/70. (S) Ent ond parties shall he have to & including, 7/2/70 to file all	<u> </u>
	papers relating to the ord to show cause now set for 7/8/70. (5) Fid Mot and Ord Thereon to extend time to 8/13/70 to transmit Record	
7/2/70	Fid Not and Ord Thereon to extend time to 6/13//0 to transmit account	1
7/2/70	to Appellate Court. (E.J.SCHWARTZ) Fld memo of F&A's by City of Escondido & Escondido water co. in	† — —
1/2/10	response to OSC & in opposition to mot for preliminary injunction.;	1
****	war ==ff14 of toke A. Williamson: and Affid of George M. Pattersun.	
7/2/70	Pid encoastion of interest by San Pascual Bengi T/W: MEDU OI FOR 5	<u> </u>
	language affid of Core B. Wootherford & affid of Retvice, by mixia	1
7/6/70	I wat and ther are ar the court, deted //1//V extending time for it-	:
	to transmit the record to Court of appeals night direct, is usersy	
	vacated. (S)	-
7/6/70	Fld mot to shorten time for service of not of mot & ord thereon.	
	Ord that time for service of nitf's not of mot for appt of receives	r,
	ite more of TAA's in support thereof. and ats supporting Hilleville	16 ber
	hebertuned to & including 7/6/70: Fur ord that service FEXXX shall	
	I too trade a come of this mot a over a Fur ord the a responsive please	LBS
	shall be filed by defts not later than 12:00 0 Clock Noon on 7/9/70	9
	& hrg of said mot shall be held on 7/10/70 at 2pm. (3); Fld	
	affid of Robert S; Pelcyger in support of mot; Messo of Pan's in	
	support of preliminary is unction; with exhs attached; Fld mot & m	35 C.
	of not for appt of receiver, NOTICED FOR 7/10/79 at 2pm; Affid of	<u>-</u>
	Robert S. Pelcyger in support of mot for appt of raciaver. & memo	31.
	FGA o in support of uto for appt fa of receiver.	
7/8/70	Ent ord hig ord to show cause & not for temp restraining ord; Ord	
	mot denied on conditions to be set out in ord to be prepared by	
	defence compai (S)	
7/8/70	Ent and by agreement between the parties, that the mot for appr	
	of receiver, presently set for hrg on friday, July 10, 19/0 18	
7/8/70	hereby ordered off calendar (S) proof	
7/10//0	Fid affid of Harry W. Douglas proof Lodged findings of fact and conclusions of law & HIELE of service.	
	THE STATE OF THE PROPERTY OF T	1

69-MAY. 28. 2008 6:39AM INCO NARAND OF MISSION INTIANS and RECONDING MO. 941 WATP. 800.

Parific Region (Lagura Niguel)

DATE	PROCEEDINGS	Date Order or Judgment Noted
7721/70	Fld affid of O.P. Stewart; A. Benjamin Meven; James B. Dixon with	
	exbs "A" & "B": ponald R. Lincoln (F.R.C.P. 56f) with exbs "A" "B"	
	& "C"; and affid of Donald R. Lincoln with exhs exhs A thru W	
	attached.	
7/21/70	Fld memo of P&A's by Pltis in opposition to mot to dismiss, t/w,	
1121110	affid of service by mail, affid of Patricia A. Duro, and affid of	
	James R. Parcell.	
7/21/70	Fld Deft's City of Escondido & Escondido Mutual Water Co. memo of	
WATTER	P&A's in opposition to Pltf's mot for summary judgment, & proof of	
•	service.	
	·	- · · · · · · · · · · · · · · · · · · ·
7/22/70	Fld affid of servicedelivery to attorney personally.	
7/23/70	Fld corrections to Pleadings filed on 1/21/70 by attys for Deft	
	City of Escondido & Escondido Mutual Water Co.	
7/23/70	l Vid second suppl memo of P&A's in support of mot for summery	
7/24770	Judgment by Pltf, t/w, affid of service. Fld affid of Donald R. Lincoln (RE Letter of Solicitor of the Dept	
114411V	of the Interior 1/20/70), T/W, Exh "1" "2" & "3" & Suppl. memo of	-
	DEA's in apposition to Pitf's mot for summary Judgment.	
7/24/70	P&A's in opposition to Pitf's mot for summary Judgment. Ent ord Deft's mot to dismiss is hereby denied; Ord Pitf's mot fo	r
	regrial exemply judgment is beraby denied, and counsel for the	
	defence shall prepare the orders: Ord all other pending mots shall	1 be take
	care of hy stipulation between the parties; Ord Dert Escondion	
,	Mistual Water Co. shall have 30 days in which to answer the complain	ht. (S)-
7/30/70	Lodged ord denying mot to dismiss and denying mot for summary	
1730770	judgment, by attys for deft.	
7/30/70	Fld and denving mot to dismiss and derving mot for summary judgmen	<u> </u>
	Ord Deft's mot to dismiss Pitt's couplt is decied: Fur Ord Pitt's mot for summary judgment decied: Fur ord Deft's Escondido Mutual	
	mot for summary judgment denied; Fur ord Deft's Escondido Mutual	
	Water Co. & the City of Escondido each have thirty days within to file their respective answers to Pltr's complt. (S)	·
- () 	Fld stipulation and order for cont of Pitt's mot for extension of	
<u>873/70.</u>	Fig stipulation and order for cont of Fitt s upo for eathering	NAMA ANA ANA
	time in which to file objections or to answer interrogatories; and	AGUA A ARIAMA
	mot to order the secretary of the Interior to make files available	
	For inspection by Pitts or, in the alternative, to relieve pitto of	
	obligation to answer interrogatories; Stipulated nots heretofore	
	set for 7/24/70 shall be cont to 9/4/70 at 2pm. (S)	
8/3/70	Fld Secretary of the Interior & the Attorney Comeral's objections to proposed findings of fact, conclusions of law and ord, filed by	
	to proposed findings of fact, conclusions of law and ord, filed by	<u> </u>
	Defts on 7/10/70.	
8/7/70	Fld Flaintiff's objection to proposed order and request for reconsideration; T/M: Affid of Raymond C. Fisher, and affid of service. FINDINGS LODGED of Fact and appointing of law: T/W Order dissolving temps.	
8/7/70	SIGNATION: T/W: AFTIG OF REYMOND U. FISHER, AND AFTIG OF SERVICE.	-}
0/1/10	of fact and conclusions of law; T/W Order dissolving temp.	.`
8/7/70	restraining and and denying mot for prelainjunction upon condition Fld Deft City of Escondido & Escondido Mutual Water Co.s. ord	. -
9,,,,0	dissolving Temp restraining ord and denying wat for prefilingly	
	l determination remain constitutions (%)	
	Fld Defts findings of fact & conclusions of law. (S) & proof of	·
	Service.	1, 2
8/13/7	O Fld Designation of Record, by Robt. S. Pelcyger, on Appeal.	
		
	1 /jext plage	1

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Received at: 9:07AM, 5/28/2008

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MAY. 28. 2008 8:40AM INNARA From Mr. holdings Spanning Millian Millian

DATE	vii Dockst Connunstian	Dekt Order of Judgment Note
	Fld Deft's Notice of signing of order denying mot to dismiss and	
3/14/70		
 -	and ord dissolving Temp restraining and & denying mot for prelim	
·	injunction upon condicions, T/W proof of service,	
	injunction upon conditions, 17% proof of action,	-
3/17/70	Fld_Stip and ORDER Dismissing as Moot certain issues on Appeal. (E.J.SCHWARTZ)	
/17/70		
/1/70	Sent Clks Record (only) to C/A. Yld answer of Deft City of Escondido to complt. Fld ANSWER COUNTERCLAIMS AND CROSS CLAIMS of Deft Escondido Mutual	
1.71	Fld ANSWER COUNTERCLAIMS AND CROSS CLAIMS of Deft Escondido MUZUEL	
	Water to:	
		
/4/70	Ent ord mot by Piti off Calendar. (S) Fid stipulation and ord withdrawing mots and granting extension of	
9/4/7/0	fld stipulation and ord withdrawing mote and interrogatories	
	time for pltf's to file objections or to answer interrogatories	s. (S)
\$ 10 ZA	until pltfs have had a reasonable opportunity to study Govt Recording defts City of Excondido & Escondido Mutual Water Co. notice submittang operating agreement to the Secretary of the Interior & submittang operating agreement to the Secretary of the Interior & submittang operating agreement to the Secretary of the Interior & submittang operating agreement to the Secretary of the Interior & submittang operating agreement to the Secretary of the Interior & submittang operating agreement to the Secretary of the Interior & Secretary & Secr	
9 -18- 70	and the contracting operating agreement to the Secretary of the Interior &	
	to the Federal Power Commission, TfW affid of service by mail. Fld stipulation and ord extending time to answer or otherwise move	
0-19-70	Fid stipulation and ord extending time to answer or otherwise move	I
<u>U-17-70</u>		
2/2/71	Fld Deft Escondido Mutual Water Co.'s First response to Pltf's	
	into we not out on	<u> </u>
/5/71	I may be a seem for gover approval of a proposed "Upersting"	
	A second between the second and city MMACED FOR 3/19//Lither to a the	
	T/W affid of John A. Williamson; J.M. Burns, Jr.; and Paul D. Engs	rand.
 	14 (11)	.
3/10/7	Escondido Mutual Water Co. in support of mot for court approval	
	ofa proposed "Operating Agreement" between mutual and gity; T/W;	
	ora proposen operating agreement the proposed and affid of	
• • • • • • • • • • • • • • • • • • • •	affid of Paul D. Engstrand, with exhs attached and affid of	
	Charles G. Conway; with exha attached.	4
-12 -71	rid ord on ex parte application to shorten time for filing & service	1
	of notice of wor for continuance of hrg on deft's mot filed 3-5-71. Of notice of wor for continuance of hrg on deft's mot filed 3-5-71. Hrg sec for 3-15-71 at 10am. (3) Fld ex parte application to shorte	
	time for filing & service of notice of mot for continuance of heg.	
	Fld notice of motion to continue hry on delts mot tor court approve	7
	of proposed operating agreement - Noticed for 3-15-71 at 10am. Fld Motion to continue hrg on defts mot for court approval of proposed operating agreement, I/W affid of service.	I
	Motion to continue arg on delta motivities appropriate the continue arg on delta motivities.	-
3-15-71	operating agreement, 1/W alliu of services to affidavit of Rei	<u> </u>
2-17-17	E. McWilliams dated 3-12-71	
2/20/122	Eld Sec of Interior's conditions for approval of a proposed opera	tr
3/16/73	ing agreement between the City of Escondido and The Escondido	
	ing agreement between the tity it but that the	
3-29-7	The Escendido Mutual Water So. Fild memorandum of PSA re; court approval of proposed "Operating Agreement" between mutual and city; Fid affidavit of Earle D. Gess.	
J-2-1	Agreement" between mutual and city; Fld affidavit of Earle D. Goss.	
3/29/7		ot
.1/47/11	a proposed operating agreement between the City of Escondido and	
	the Escondido Mutual Water Company"	_
	CHC ESCUMPTED TRUCKET WELCE COMPANY	1008
3-30-71	Pld scripulation re: Judge's view that all parties waive all object to a "view" by the Ronorable E.J. Schwartz which is to take place	
	The transfer of the transfer to the property of the property o	1

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Received at: 9:07AM, 5/28/2008

69-21/-3 8:40AM RINARA MAND OF MISSION (Lagura Niguel)

PAGE 8

DATE	PROCEEDINGS	Date Order or Judgment Noted
/30/71	Hrng mot for court approval of a proposed "Operating agreement"	
~~~	between Mutual Water and City of Escondido.	
	Ent. ord court. finds Enderal Power Commission approval no longer	
	required for the purpose of this present hrng; Court finds propose	<del>1</del>
	operating agreement approved on various ronditions as specified by	
	the court, and order shall be prepared by Pltf and submitted to coun	sel and cou
	for approval. (S)	
-8-71	Lodged Findings of fact and conclusions of law & order approving	
<u>-1)\T</u>	the operating agreement along with letter from Higgs, Jennings, Fle	cher
<del>}</del>	& Mack dtd 4-8-71.	
-21-71	Rid findings of fact and conclusions of law (5)	
<u>-21-/4</u>	Tid and an approximate the operating agreement: that delts shall suppl	7
—- ·: ː +	To Male Rand with all the water it can but to actual Demericial us	
	that any proposed modification or change in the Operating Agreement must be submitted for approval of this court; that conditions regar	
	must be submitted for approval of this court; that conditions regar	ning
	nammente to chareholders imposed by this court's order shall remain	
	in full force and effect and subject to further order of this court	<u> </u>
	that the findings, conclusions and order entered herein is without	
	prejudice to the rights, claims and interests of the ban rangual ba	<u> </u>
	of Indians and without prejudice to any defenses or rights, claims interests of Mutual or City in regard thereto: that this court	or
	expressly retains jurisdiction to make further orders concerning the	A
	supplying of water to said plaintiffs. (S) Mid cys to all cnsl.	
/22/71	Fid correspondence from Paul D. Engatrand. (at request of Judge Sci	wartz)
$\frac{22}{122}$	77 )C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C	
122/11	Fid proof of service by mail for Findings of fact fld 4-21-71.	
7-71	Fid proof of service by mail for Findings of fact fld 4-21-71.  Lodged plntf's pre-trial stipulation and order setting certain	
	Legal issues for interlocutory determination. Fid stipulation and order re: interconnection of city and mutual	
-14-71	Fid stipulation and order re: interconnection of city and intensi	
	water lines w/order thereon granting same. (S)	
721/71	Fld Deft City of Escodido & Escondido Mutual Water Co. 's Stip & or	<del>-</del>
	RE: submission of description of rights of way across Rincon &	<del> </del>
	LaJolla Reservations, heretofore set for 6/21/71, shall be cont to	+ . · · · · · · · · · · · · · · · · · ·
	-7/15/71. (9)	
7/15/71		
//21/71		
/22/12	Affid of William G. Mitchell.	
/16/71	Fld Pltf's attorney's change of address.	
0773/71	Fld reports of Southern California RST National Bank.	<u> </u>
-15-71	Fid deft's not of mot & mot to modify the court's ord & allow the	
· /	Insument of semi-annual nauments to ESCONDIDO MUTUAL WATER COMPANY'S	
	SHAREHOLDERS T/W affidt of syc by mail thereto. Value dia. 10-6-11 FRA.	
	IPIN NEFT S MEMO OF PTS and AUTHORITIES in support of mot to modify	
	the court's ord & allow the payment of semi-annual payments to	
	ESCONDIDO MUTUAL WATER COMPANY'S SHAREHOLDERS T/W affidt of svc by	
	mail thereto.	24
	Fld affidts of GEORGE M. PATTERSON, DOROTHY JEAN GRANT, MARY E. CHIS	771
	ANN M. ELLISON, and NOE PEREA T/W affidt of svc by mail thereto.	
LO-19+7.	Fld substitution of attys: JENNINGS, ENGSTRAND & HENRIKSON in place	
	of HIGGS. JEWNINGS, FLETCHER & MACK w/ approval thereto. (S) T/w affdit of svc by mail thereto.	
	Fld memo of P/A in opp to mots to modify Court's orders & allow	1
10-22-7	payment of semi-annual payments to Escondido Mutual Water Co. s	·-

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Received at: 9:07AM, 5/28/2008

MAY. 28. 2008 6:41AM ON REFERENCE OF CHIEF LANGUE SINISH AND SAFETY AND PROJECT Region (Lagrange Condition of Condition of

DATE	Proceedings	Date Order or Judgment Nove
10-26-	71 Ent ord defts mot to modify On's ord & allow paymt of semi-ann1	
	paymt to Escon. Mut. Wat. Co. shareholders is hereby denied & couns	el .
	Line at any Calculation and Action (C)	
11-19-7	Fld defts' objections to proposed fundings of fact & conclusions	Ţ <u> </u>
12-1-71	law. Wid not of mot, mot, mot for hig on Fed. Defts mote to dismiss, all	id
	at come by mail from pintty noticed for 12-13-71 at 2pm.	
12-13-71	HIS DIREL S UNC TOL S GEFERMINSCHOP OF LEGT DELLE WOL TO GIRBERS .	ent
	ord mot denying Fed. Defts' mot to dismiss shall standas heretofore	
	entered & Covt has 60 days to answer complaint. (S)	.L .
1-10-72	Fld Findings of Fact and Conclusions of Law, denying defts' mot to	(5)
	modify fourt's previous orders re distrib. of semi-annual payments	
1-12-72	Fld and denying mot to modify court orders of 8-7-70 & 4-21-71 re payments to shareholders of Escondido Mutual Water Co. (S) Mld cyt	<del>                                     </del>
	to agreement	
2-22-72	This of minimetiffs for further extension of time for deletives	LS LO
	file answer. Fld order extending time for Secretary of Interior &	Accorney
	l Company to file on Anguer to delle/2.(5)	
6-6-72	Fld Notice of Hearing red flg c.c. judgmt from USCA affirming decis USDC, set for 6-19-72 at 10am.	
6-19-72	Rot Ord C.C. Judgmt From USCA attituding decision of dance be and de-	^{‡t} · (S)
0-13-12	The first beautiful of the property of the first beautiful of the fi	
7-5-72	Fld defendant's Answer - Tor Secretary of theeling of Accounty General	t of U.S.
	laffid of serv by mail.	
7-17-72	Ent ord S/C set for 8-4-72 GlOam. (S)	<del></del>
8-4-72 9-27-72	Status Conference held.(S) Fld plaintiffs' notice of motion, motion to amend court order & to	make
9=21-72		III Ox
	morion to consolidate . fld motion to shorten time for service of	MOLTGA
	of morron with order(S), memo of r/A in suppl of mot to amend of the	<b>1</b> ;
	noticed for 10-2-72 at 10am.	
9-28-72	Fld affid of Robert S. Pelcyger.	
	Fld affid of Robert D. Ringo.	•
0 10 11	Fld affid of personal sdrv of above affida. Fld affid of serv by wert of papers fld 9-27-72 & 9-28-72.	<del> </del>
30-2-72		i wewo
	Titus	DESTIDITED
	Dam during wonths of Oxtober & November, 19/2. Fid notice of accept	Cauce or
····	service of above documents.  Ent ord plntf's mot to amend Cu's order of 4-21-71 denied; ord pl	
10-2-72	motion to consolidate actions of 69-217, 72-276, & 72-271 granted	ner's
	To what to make the property order (C)	
10-13-72	counsel for platf to prepare order. (S) Lodged Findings of Fact & Conclusions of Law, order denying motion	to-
LU AGLE F	emend court order & to make order applicable to vista irrigation by	ist. &
	granting motion to consolidate, cartif of mailing.	
10-20-72	I Fld Objections to proposed findings of fact & Conclusions of law.	
10-26-72	Fld affid of service by mail to objections to proposed findings of	Tact &
	conclusions of law.	<del></del>
10-31-	72 Fld stip 5 order for extension of time to answer or otherwise rep	1
11-2=72	complaint to 11-30-72. (S) Fld stip extending time of Vista Irrigation Dist. to answer or other	<del>elwise -</del>
	nlped= fo 11=10=72 (S)	
11-29-7	Wid stip for continuance to 1-8-73 at 10am; stip time for plainti	HES CO
	submit memo of P/A in opp to mot to dismiss extended to 12-12-72.	3/

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Received at: 9:07AM, 5/28/2008

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69-217-S Rincon Indians vs EsdaribisReproduced Co. 69-217-S

	The state of the s	
DATE	Procredings	Date Order or Judgment Noted
12-6-72		
	amend court order to make order applicable to Vista Irrigation Dist	rict
	& granting motion to consolidate. (S) Fld affid of serv by mail.	
12-19-7	2 Fld not of mot, motion to dismiss & for more definite statement a	TITA
	of serv by mail; noticed for 1-9-73 at 10am. Fld P/A in suppt of more fld affid of serv by mail of above documents fld 12-19-72.	
12-22-72	Fld statement of US position, hrg on motion to dismiss; that U.S.	
1-4-73	interposes no objection to action by Rincon & LaJolla Bands of Mis	BION
	Indians against Vista Irrigation Dist, that policy of US is to per	mit
	Indians to have their day in court & to pursue their cause of acti	on
	in any manner they feel will advance their best interests.	
1-8-73	Fld Response of Rincon & La Jolla Bands of Mission Indians to motio	da
	of Escondido Mutual Water Co. to dismiss Civil Case No. 72-271-S,	
	affid of serv by mail	
	Fld memo of P/A in opp to defts' motion to dismiss & motion for mor	e
-	definite statement, fld by US Atty.	. <del></del>
1-9-73	Hrg mot to dismiss case 72-271-S - ent ord denied.	<u> </u>
	Hrg mot to dismiss case 72-276-S - ent ord denied; ord counsel for	
1-19-73	plntfs to prepare order.(S) Ldgd order denying motions to dismiss Civil Nos. 72-276-S & 72-271-	8 -
	certif of mailing.	F •
7-23-73	Fld affid of serv by mail of statement of US position, hrg on mot	0
	dismiss in Civil No. 72-276-S.	
1-30-73	Fld order denying defense motions to dismiss Civil No. 72 271-S &	
	72-276-S & ord that motion of Escon. Mut. Water Co. for more defin	te
	statement in Civil No. /2-2/1-S denied. (S) Mld cys to counsel.(Ent	<u> </u>
4-30-73	Fld Deft Escondido Murual Water Company's ANSWER and counter-claim	15
5-2-73	Fld affid of serv by mail of Answer fld 4-30-73.	
5=14-73	Fld Amended Answer of deft Vista Irrigation, affid of serv by mai	<del> </del>
5-15-73		10
	cross claims of deft Vista Irrig. Dist. in Case No. 72-271-8, att	<u>ra</u>
	of serv by mail.	<u> </u>
5-16-73	Fld withdrawal of motion to dismiss, affid of serv by mail.	
	Fld motion for preliminary injunction & orders pendente live affic	of
	serv by mail.	
	Fld memo of F/A in suppt of request for injunction & orders pendent	e
<del>5-17-73</del>	1fte.	•
7-71-13	Fld not of mot, not to join plate USA mot for preliminary injunction	on &
	orders pendente lite, memo of P/A, decl of serv by mail; noticed for 5-29-73 at 10am.	<u> </u>
3-21-73	Fld affid of John R. Crippen.	
	Fld memo of P/A of Rincon & La Jolla Bands of Mission Indians in s	uppt of
<u> </u>	mot of US for prelim. injunction & orders pendente lite, affid of	ers
	serv.	
5-29-73		rv in
	person & by mail.	
_5-29-73	Ent ord mot for prelim injunction & order pendente life cont to 6	-6-73
5-31-73	at 9:30am for hap, (S)	
3-31-13		OD.
	& orders pendente lite, affid of Bonald R. Lincoln, affid of Lawre	
	Michaels, affid of James A. Hanson, affids of Thomas M. Wilson & I Powell with differences in computed & published inflow to Lake Her	iswia
	affid of David O. Powell affid of Thomas M. Wilson, affid of serv	by
	mail	
	-Const -	

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Received at: 9:07AM, 5/28/2008

69 MAY. 28. 2008 8: 42 AM INGOENARA PROSEDENTIAL STREET AND A STREET A

2. 4. 22. 22	iyi Deaket Continuation	Date Order or
DATE	PROCEEDINGS	Judgment Moted
6-1-73	Fld not of mot, mot to modify Ct orders by releasing all impounded	Bemi-
	aunual payments & permitting direct payment of future semi-annual p	eyments
<del></del>	to tendering shareholders of Escondido Mutual Water Company, affid	<u> </u>
	Richard S. Harper, affid of William G. Mitchell, memo of P.A. allia	<u>pr</u>
6-5-73	Richard S. Harper, affid of William G. Mitchell, memo of P/A, affid serv by mail; noticed for 6-18-73 at 10am. Fld affid of Thomas M. Stetson.	<del></del>
6-6-73	Hrg mot for prelim. injunction & order pendente lite - Rincon Band	ρ£
	Mission Indians make motion to withdraw from loinder in motion for	
	nreliminary injunction - ent ord mot gratited. Ent ord motions of G	byt
	for prelim, injunction etc. are denied - and derts to prepare rindi	ngs
	& conclusions. (S)	<del></del>
6-18-73 6-20-7	Ent ord motion to modify/Court's order cont to 6-25-73 at 10am. (S B Fld suppl affid of William G. Mitchell, attid of serv by mail.	1
6-22-73	Fld statement of U.S. in opp to motion of Escondido Water to modi	Ly
	Ct's orders by releasing all impounded semi-annual payments & perm	itting
	direct nayment of future semi-annual payments to tendering shareb	olders
	l of Fecondido Mutual Water Company in this case, attid OI Serv DY	mall.
	Fld plutffs' memo of P/A of Rincon & La Jolla Bands of Mission In in opp to motion to modify Ct's Orders by releasing all impounded	dians
	in opp to motion to modify of street by releasing all impounded	nauments
	annual paymet & permitting direct payment of future semi-annual to tendering shareholders of Escondido Mutual Water Co. in this c	ease.
-25-73	Hrg mot to modify Ct's orders by releasing all impounded semi-ann	uar
	perments & parmitting direct perment of future semi-appual paymen	tis to
	tendering shareholders of Escondido Mutual, Water Co. in this case	e - ent
2 AR HR	order motion denied; ord plntf to prepare order. (S)	1
6-29-73	Eld stip for continuance with order thereon cont matter from 6-18	- 1/3
7-19-73	to 6-25-73 at 10am.(S)	cetion
7-13-73	Fld & order re investment of funds in this case, modifying modification of 7-21-71 of court orders of 8-7-70 & 4-21-71 as follows: the	\$100.000
	deposit & any other payments shall not be ANNANIX MANNA dist	ributed
	without further order of the court; ord said monies deposited wi	th
	Southern California First National Bank said monies not to be 1	nvested
	in any interest bearing obligations of City's of Escondido; ord a	ny montes
	which cannot be invested up to a maximum of \$1,000.00 shall be	put in
	federally insured saving account of said bank, with said bank to to court & all parties hereto any changes in investments of said	MODIAS
	& shall report monthly anyly changes in amount of said total depo	sits due
	7 (7)	
	I Add findings of fact & conclusions of law order denving motion of	t U.S.
75 70	i for prelim injunction & orders pendence like, billy of servey w	(CF
8-6-73	Fld objections of the Rincon and La Jolla bands of Mission Indian to perposed findings of fact and conclusions of law	-
8-10-73	Ldgd Findings of Fact & Conclusions of Law; Ldgd order denying me	otion
2-10-13	of U.S. for prelim, injunction & orders pendente Lite, affid of :	serv
	by mail. Sent all cys to Judge Schwartz.	
<b>8</b> =13-73	by mail. Sent all cys to Judge Schwartz. Ldgd order denying motion to modify Court's orders by releasing al	1
	impounded semi-annual payments & permitting direct payment of fu	ture
<del></del>	semi-annual payments to the tendering shareholders of Escondide	C FTP
8-13-73	Mutual Water Co. in this case, certif of mailing. Sent all cys to Fld Findings of Fact & Conclusions of Law & order denying motion o	<u>u 613.</u>
0-13-13	for preliminary injunction & orders pendente lite. (S) (Ent 8-14	-/31
8-14-73	Fld objections of U.S. to Findings of fact & conclusions of law su	baitted
	by deft Escondido Mutual Water Co., affile of serv by mail.	
8-15-73	Fld order denying motion to modify Court's orders by releasing at	]
	impounded semi-annual payments and permitting direct payment of f	uture

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Received at: 9:07AM, 5/28/2008

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		Date Order or
DATH	PROCEEDINGS	Judgment Note
8-15-78(cm	z) semi-annual payments to the tendering shareholders of Escondido Mutual Water Co. in this case. (S)	
5-21-76	Fld Deft Stip re Pala Reservation, Vista Irrigation Dist & contract	between
6.14.76	William G. Henshay & USA dtd 6-28-22 approved & ord. (S) Fld Ca. 1st Bank Statements of Accts #13136 & 18396.	<del></del>
9 <b>-</b> 15-76	Fld Ca. 1st Bank Statements of Accts #13136 & 18306. Fld Ca. 1st Bank Statements of Accts #13136 & 18306.	
1-4-76	Fld Ca. 1st Bank Statements of Accts #13136 & 18306.	
1-18-77	Fld Ca. 1st Bank Statements of Accts #13136 & 18306. Fld Ca. 1s: Bank Statements of Accts #13136 & 18306.	
3-17-77	Fld Ca. 1st Bank Statements of Accts #13136 & 18306. Fld Ca. 1st Bank Statements of Accts #13136 & 18306.	·
1 <u>-15-77</u> 5-13-77	Fld Ca. 1st Bank Stmts of Acets #13136 & 18306. Fld Ca. 1st Bank statements of Acets #13136 & 18306.	
6-15-77	Fld Ca. 1st Bank statements of accts #13136 & 18306.	
<del>8-2-77</del> 8-10-77	Fld Ca. 1st Bank statements of acets #13136 & 18306. Fld Ca. 1st Bank statements of acets #13136 & 18306.	
9-16-77 J-13-//	Fld Ca. lat Rank statements of accts #13136 & 18306. Fld Not of mot and mot to mod the cts ord by releasing all impounde	4
	Semi-Annual payments and permitt direct payment of future semi-annu	al
	pay to the tendering shareholders of Escondido Mutual Water Co. set for 10-31-77 @10:30am. t/w Affids of Richard S. Harper and William	
	G. Mitchell t/w Memo of P & A in support of mot.	
10-17-77		
-31-77	Ent ord hrg deft mot to mod cts ord by releasing all impounded semi- annual pay and permitt direct pay of fir semi-annual pay to tend	
	shoreholders of Escondido Mutual Water Co. Mot cont 11-29-77 Cyam. (S	)
1-7-77	Fld Stip and ord that mot to mod or ord by releasing all impounded ende coot to 11-29-// @9am. (S)	rc .
11-10-7	Fld Ca. 1st Bank state of accts #13136 and 18306.	
1-18-77	Fld Memo of P & A in opp to mot to mod et ord. t/w Certificate of	
	service	·····
1-21-77	Fid Memo in opp to deft mot to mod the cts ord requiring the cts co of the semi-engual payments to tendering shareholders of Escondido	HELOL
•	Mutual Water Co. t/w Certificate of service.	<del></del>
11-23-77	Fld dett City of Excondido & Escondido Mutual Water Co. supp memo in	
	suppl of mot to mod Cts. ord by releasing all impounded simi-annual pyints t/w affid of serv.	
	Fld defts City of Escondido & Escondido Mutual Water Co. affid of	
	Tarrence R Nichado	
1977	for status conf. (S)	11
12-14	Fid Ca. 1st Bank statements of accts #13136 & 18306.	·
1978		
1-5	Ent ord on cts own mot hrg cont 2-22-78 (9am. date of 1-31-78 vacate, Fld Findings of fact and conclusions of law. (5)	a.(S)
AN 5 -	Fld ord den ving mot to mod the cts ords by releasing all impounded	
	semi@amnual payments to tendering shareholders of Escondido Mutual	
	Water Co.(S)(ENT 1-9-78) Fid Certificate of service as to find of fact and conclusions of law	
	and ord denying mot.	7.3
2-13	Fld Ca. 1st Bank statements of acces #13136 and 18306.	
	Status conf. P/T and to be ladged by 11 1 78 Feb. and P/T not for	
	11-13-78 at 10:30am Trial set for 2 13-79 at 9am (8)	<u> </u>
_3-15	F1d-Ca. lst-Bank statements of acets #13136 and 18305.	

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Pacific Region (Laguna Niguel)

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	CIVIL DOG	BET CO	NTINUATION SHEET	Pacific Region (Laguna Niguel)	F#1-R1
ſ	PLAINTIE	F		DEFENDANT .	50.0017
	Rincon	Вапа	of Mission Indians	Escondido Mutual Water Co.	PAGE [3] OFPAGES
Ī	DATE	NR.		PROCEEDINGS	h" ,
-	1978 4-3		Fld Mot for leave t	for 4-24-78 at 10:30am. To file an amended complt. and Moreover for the first Amended complt. as to Civil	emo of P & A in il case #71-0271-S.
	4-14 4-13 4-19	,	Fld Ca. 1st Bank st Fld Not of mot se parties, and Memo Fld Mot to remove	stements of accts #13136 & 18306 t ofr 4-24-78 at 10:30am. and mo of P & A in support of. and certhry form calendar, So ord. (5)	t to add and drop of service.
	4-21		Fld Not of taking a of service.	mot to add and drop parties off arements for Accts #13136 thru #	•
	5/22 6-21 6-26		Fld CA 1st Bank star Fld stip & ord ther the mot fld by the	tements of accts #13136 & 18306. eon that none of the paries here U.S.A. for leave to file an amer	co will oppose
	6-29		deft in Rincon Bank Water Co., etal., &	stip of 2-22-78 and order there sec. of Interior & Atty Gen are of Mission Indians et al. vs Es Rincon & La Jolla Bands of Miss Civil 72-271-5. (S)	condido Mutual
	7-20 <b>7-24</b>		Fld Pltfs request	k Stmts for acct 12126-00-0 (JUN for production of documents, w/a	ffid of serv.
	8-14		Fld stip & ord then	for admissions, w/affid of serv. reon that defts Escondido Mutual on District may have an extensio Luding 8-18-78 in which to answe	Water Company n of time fr
	8-15		respond to the amer	anded complat, Civil No. 72-271-S statements for accts 13136-00-0 statements for accts 18306-00-3	. (S) through 13136-16-2.
	8-23		Fld stip & ord that  Irrigation District	defts Escondido Mutual Water Commany have an extension of time to answer or otherwi	ompany and Vista fr 8-18-78 to
	8-24		the amended complete Fld stip for extending that deft Escond of time from 8-23-	r, Civil No 72-271-8. (8) sion of time & ord thereon re re dido Mutual Water Company may ha 78 to and including 9-5-78 in wh	q for admissions ve an extension ich to answer
-	9-8		Fld deft Escondido States' req for ad Fld ANSWER & COUNTY	nd to the req for admissions. (S Mutual Water Company's response missions IERCLAIMS by deft Escondido Mutu DED COMPINT in civil case 72-271	to pltf United al Water Company
	9-18		affid of serv   Fld California Fin   13136-01-9; 13136-   13136-08-2: 13136-	rst Bank statements of accts #'s-03-7; 13136-04-6; 13136-05-5; 1-09-1: 13136-10-8; 13136-11-7; 1	13136-00-0; 3136-06-4; 13136-07 3136-12-6; 13136-18
,	9-21		18306-03-0; 18306-   18306-09-4; 18306-   Fld deft Vista Irr	-15-3; 13136-16-2; 18306-00-3; 1 -04-9; 18306-05-8; 18306-06-7; 1 -10-1;18306-11-0; 18306-12-9 rigation District's response to point to the control of th	8306-07-6; 18306-0B
					DG-111A REV. (1/75)
		١.			

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DATE   NR.	N SHEET	Pacific Region (Laguna		FPC-B1	_
10-3-78 F1d ANS COMPLNT 10-12 F1d, Ca 11-6 F1d, si extend: 11-13 F1d, p support 11-20 F1d, C 12-14 F1d, C 12-27 F1d, m	***************************************	DEFENDANT			
10-3-78 F1d ANS COMPLNT 10-12 F1d, Ca 11-6 F1d, si extend: 11-13 F1d, p support 11-20 F1d, C 12-14 F1d, C 12-27 F1d, m			<b>.</b>	DOCKET NO.	- <u> </u>
10-3-78 Fld ANS COMPLNT 10-12 Fld, Ca 11-6 Fld, si extend: 11-13 Ent. c 11-13 Fld. p support 11-20 Fld. C 12-14 Fld. c Fld. m		· .	e'	PAGEOFPAGES	<u> </u>
COMPLNT   10-12		PROCEED	NG5		
11-6 FId. si extend: 11-13 Ent. o 11-13 FId. p 11-20 FId. C 12-14 FId. C 12-27 FId. m	SWER of deft CCIVIL #72	VISTA IRRIGATION -271-S) t/w cert	DISTRICT to F	IRST AMENDED	
11-6 FId. stextend: 11-13 Ent. o 11-13 FId. p 11-20 FId. C 12-14 FId. C 12-27 FId. m	alif, first	stmt of accts $^{\prime\prime}_{i}$ L3	3136 (18306)		-
11-13   Fld. p 11-20   Fld. C 12-14   Fld. C 12-27   Fld. m	tip extendir ling time to	ng time to respon 12-7-78 to ans.	d to countercla (S)	aims & ord theron	
11-20   suppor Fld. C 12-14   Fld. C 12-27   Fld. m	ord. P/T hrg	. cont. to 1-8-79	at 10:30am (S	)	
12-14	oltff not. o	f mot. & mot. to	dism, memo of	pts. & auths in	
12-14	rt, & cert o Calif. first	f serv. Ntc for I stmt of accts 18	-8-79 AC 10:30 3306 & 13136.	am.	1
12-27 Fld. m	Calif. first	Bank stmt of acc	cts. 18306 & 13	1136.	l
				at 10:30 by pltff.	
(S)	stipulation	& ord. setting P	T & trial date	to 6-25-79 w/ord.	ther
Fld. s obtain City o	ned from lan of Escondido	d sale shall be be 's general fund p	tept in a separ cending fur. or	d. of the ct. (S)	<b>'</b>
1 ! !	Calif. firs	t Bank Stat of ac	cts 13136 & 18	306	
2-15   Fld. C		s (S) Bank Stmt of acc	ts 13136 & 183	06 for 01-1-79	
3-13   1-31-7 Fld. C	alif. First	Bank Stut of acc	ts 13136 & 1830	06 for 2-1 thru 2-1	28-79
4-25   Fld. Ca	alif. First	Bank Stmt of acc	ts 13136 & 1830	06 for 3-10 thru 3-	-3L-79
4-20 Fld plt		mot. & mot for pa		for 5-14-79 at 10	•
4-26 Fid. pl	tff not. of	mot. & mot 949 1	oin in mot for rt of serv. Nt	partial S/J of the for 5-14-79 at 1	e 0 :30
am.				9	-
4-30   Fld. pl	rrir regista	tive history of t	ne mission and	lan relier act	1
5-2 Fld. p	ltff mot. to	or partial S/J- D	erongs winor of	E mot fld. 4-20-79	`
10:30au	m. P/T hrg.	cont. to 10-1-79	at IU:3Uam, TI 9am (S)	nt. to 7-16-79 at rial date of 6-25-7	1
5-16     Fld. C	Calif. First	Bank Start of acc	ets 13136 & 183	06 for 4-1-79 thru	1
c   10-1-7	stip & ord. : 79 at 10:30a or 7-16-79 (;	m & hrg mot to di S) Mld. cpys.	sm counterciar	P/T conf set for ms & for partial S	
6-14 Fld. C 5-31-7	Calif First	Bank Stmt of acct	s 13136 & 1830	6 for 5-1-79 thru	1
Mutual				k hrg. US mot. to ortial S/J to 8-13-	
7-16   Fld. V:	ista Irrigat	S/J. t/w proof of	serv.	ln oppos to US & Ba Water's memo in op	ŀ
to US	veres over A O	r maconumin & mac	ffid of Donald		• 1
1 1	mot to dism	counterclaims, a			_ <b>_</b>
serv.	mot to dism			condido. t/w cert	of
1.	mot to dism				of

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CIVIL DOCKET CONTINUATION SHEET DEFENDANT DOCKET NO. 69-217-S PLAINTIFF Escondido Mutual Water et al Rincon Band of Missn Indians PAGE /S OF PROCEEDINGS DATE NR. Fld. Calif. First bank stmts of accts 13136 & 18306. fr. 6-1-79 to 7-17-79 6-30-79. Ent.ord. good cause apprg. cont. to 8-20-79 at 10:30am in ct rm no. 1 for hrg. Vacare 8-13-79. (5) 7-18 Fld. defts Escondido Mutual Water & City of Escondido's memo in 8-6 oppos to US' & Bands' mot for partial S/J on behalf of Escondido t/w appendix & cert of serv. . Fld. Calif. First Bank Stmts of acets 13136 & 18306 fr. 7-1-79 to 8-13 7-31-79. Fld. stip w/ord. that the USA shall file reply to defts mot by 8-14 8-13-79. (8) Fld. pltff reply memo in support of mot. for S/J. Fld. pltff reply memo in support of mot to dism counterclaims t/w cert of serv. Fld. pltff reply memo(USA's) in support of its mot for partial S/J. Fld. pltff reply memo of USA in support of its mot to dism Escondido counterclaim. Fld. proof of serv of USA reply memos. Ent. ord. good cause apprg. cont. to 8-27-79 at 9am in ct rm no 1. 8-16 8-20-79 vacated. (S) Fld. defts City of Escondido supplemental memo in oppos to the mot 8-27 of US & Indian Bands for partial S/J. Ent ord, hrg- on mots Indians' mot, to join in mot for Partial S/J granted. Govt's mot, for Partial S/J granted as to 1-4 & 6 & 7 defenses. Gov't mot, to dism Mutual's counterclaims granted as to 1st & 3rd & denied as to 5th through 10th. Pltffs to prep ord. Pitffs counsel to submit any further briefs in reply to supplemental pts & auths fld. 8-27-79. After these brief have been fld the major mot for S/J is deemed submitted. (S) LODGED House rept on Indian Affairs. (Given to Judge) 9-4 Fld. pltffs supplemental memo t/w cert of serv. Fld. pltff USA's reply memo to supplemental memo submitted by Escondido Mutual Water. t/w cert. of serv.
LODGED PROP ORDER . Fwrd original & two copies to Judge for approval Fld. Escondido's comments on & modifications to pltffs' prop finding: & conclusions re partial S/J mot, t/w cert of serv. LODGED PROP JUDGMENT RE PLTFFS" MOT, FOR PARTIAL S/J Fld. second supplemental memo of the La Jolla & Rincon Bands of 9-6 Missn Indians in support of mot. for partial S/J. t/w cert of serv. Fld, defts second supplemental memo in oppo s to the mot of the 9-7 US & Indian Bands for partial S/J. t/w cert of serv. Fld. Band's response to Escondido's comments concerning prop finding: 9-11 of fact & conclusions of law t/w cert of serv. Fld. Escondido's reply to supplemental flgs by the Bands.t/w cert of Fld memorandum dec. w/ord. that the 1894 Contract is void to the extent it purports in any way to affect the interest of Rincon Bands pertain. to reservations lands or water rights for failure to comply v/ preds 8 of MIRA; 1894 Contract is not void for failing to comply

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Received at: 9:07AM, 5/28/2008

MAY. 28. 2008 8:44AM

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(Rev. 1/75) Pacific Region (Laguna Niguel)
CIVIL DOCKET CONTINUATION SHEET FP1-MAR-3-7-78 DOCKET NO. 69-0217-9 DEFENDANT PLAINTIFF MISSION BAND OF INDIANS ESCONDIDO MUTUAL PAGES PAGE_ _OF_ PROCEEDINGS DATE 9-11 w/28:81. it is valid to the extent that it grants a right of way dont accross the Potrero Reservat, for the canal & permits the diversion of river water into the canal.; The 3-25-08 permit approved by the Sec. & purporting to grant a right of way for a canal accross the Potrero, Rincon & San Pasqual Reser. confers no valid rgt. of way to EMW for its canal. ; the 1914 Contract is void ab initio to the extent that it purports to alienate or convey the 1.72 acres of land on which the Rincon power plant was constructed; further that it is void to the extent that it purports to be a conveyance or limit. of theRincon's water rgts. in the San Luis Rey River; The 1922 Contract is void ab initio to the extent that it purports to be a conveyance or limitation of the Bands' water right in the San Luis Rey River. (S) (Ent. 9-11-79) Mld. cpys. Fld. ord. - the US' mot for partial S/J seeking a decl . is granted. the court lacks jurisdictions over 2 counterclaims fld. by EMW seeking decl relief. US Mot to dism 2 counterclaims granted; US' mot to 9-11 dism 6 counterclaims seeking recoupment is denied. (Ent. 9-11-79) M14. cpys. (S) Fld. pltff response of the US to the Escondido prop findings & concl. 9-17 of law. t/w cert ofserv. Fld. Calif Pirst Bank Stmt of accts 13136 & 18306 for 8-1-79 thru 9-19 8-31-79. Fld. pltffs not. of mot. & mot. to amend the ct 9-11-79 memorandum 9-20 dec., memo of pts. & auths in support & cert of serv. Ntc for 10-29-79 at 10:30am, before Judge Schwartz. Fld. not of change of counsel -Kenneth Marra & William White are 9-24 now counsel of record t/w cert of serv. Fld. pltff memo in support of Rincon & La Jolla Bands; mot to amend the memo dec. of 9-11-79.
Ent. ord. good cause apprg. on the ct's own mot P/T hrg. date of 10-9-27 9-28 1-79 vacated & reset for 10-29-79 at 10:30am. (S) Fld. stip resetting P/T conf to 11-13-79. at 10:30am. (S) 10 - 3Fld. stip cent mot for modification of ct's memo to 11-5-79 at 10am. (S) Fld not of mot of mot requesting amendments to ord & to memo fo decision 10-9-79 bn mot for partial summary judgment, T/W mot requesting amendments to ord & memo of decision on mot for partial summary judgment, & memo of P&A in support. Noticed for 11-5-79 at 10.30am FId cert of service Fld. Calif. First Bank stmt of accts 13136 & 18306. 10, 16 11-5 Fld. stip resetting hrg. on mot to amend ord. to 12-17-79 at 10:30am **(S)** Fld. Calif. First Bank Stmt of accts 13136 & 18306for 10-1 thru 10-31-79. 11-20 Fid. US', La Jolla & Rincon Bands not of mot & mot for fur, necessary & proper relief , memo of pts & auths in support & proof of serv 12-3 Ntc for 1-14-80 at 10:30am in ct rm no 1. before Judge Schwartz. 12-4 Fld. amended not of mot of US, La Jolla & Rincon Bands. Ntc for 1-14-80 at 10:30am. t/w cert of serv.

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Received at: 9:07AM, 5/28/2008

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Pacific Region (Laguna Niguel)

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		CIVIL	DOCKET CONTINUATION SHEET	60.017.6
PLAINTIF	=		DET ENDING!	DOCKET N.6.9-217-S
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DATE	NR.		PROCEEDINGS	
12-14		thru 11-30-79.	rst Bank Stmt of acets 131	
2-14		Fld. stip & ord. reset to 1-9-80 a	cont P/T & mot for fur. ned t 9am. (S)	cessary & proper relier-
12-21		ments to ord & me Fld. pltff not of	of pts. & autha in oppose to emo dec granting partial S/F conditional mot & mot requestrated S/I memo of pt	U. Tuesting amendment to
1980 1-2-80		Fld proof of serv Fld. deft City of amend the ct's me Fld deft City of request for cert	7. as to all does fld 12-21 f Escondido's mamo in oppose amo dec of 9-11-79 t/w cert Escondido supplemental men ification t/w exhbts & cert	Ntc for 1=9-80at 9:30 s to pltffs mot to to serv. no in support of defts t of serv.
1-8	İ	mot for fur., nec	y to deft's supplemental w essary & proper relief t/w	proof of serv.
1-9		footnote 5 stands & ord. dated 9-11 1292. Pltff's mot Pltffs' condition partial S/J denie covering this hrg memo dec dated 9-ruling, and will appeal (S)	ts- pltffs' mot to modify Deft's mot to amend ct's 79 certified for interloc for fur, necessary & prop al mot requesting amendme d. P/T settg-ord, off cal. & submit to pltffs for ap all-79 to delete certain po amend the ord. to include	ordgranted; memo dec. cutory appeal under 28:
1-9		this ct is of the involve controlling ground for differ from the ord. malitigation. (S) (Fld. amended ord. declaration to the dism 2 counterclass of the oninion	prendum dec & ord on mot for opinion that the iss. disting questions of law as to rence of opinion and that any mat. advance the ultimat (Ent. 1-10-80) Mld cpys.  The mot hrg- US' mot for predict mentioned in the sims (US) granted; Mot of Us denied. Fur. that it is contact the iss. disposed of	which there is substantian immediate appeal ce termination of the partial S/J seeking a ord is granted; Mot to US to dism counterclaims certified that this ct.
1-15		ground for differ from the order ma the litigation. Fld. California 1 12-1-79 through	tions of law as to which the rence of opinion and that a materially advance the u (S) (Ent. 1-10-80) Mld cpys. First Bank Stmt of accts 13 12-31-79.	in immediate appear of intimate termination of 3136 & 18306 for
1-17		in part & denied ment or modifica Defts' mot reque Pltff's mot for Pltffs' conditio has been denied and has certifie	to amend the ct's memo decin part; Portion of pltffation to footnote 5 page 8 of sting amendments to the order, necc. & Proper relief hal mot requesting an amendas superfluous since the dall iss decided in its 9-subject to being reset upon	s' mot seeking an amend- of memo dec is denied; d. & memo dec is granted; is denied w/o prejudice dment to the memo dec. ct. has granted deft's mo -11-79 memo dec. P/T prev

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Received at: 9:07AM, 5/28/2008

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Pacific Region (Laguna Niguel)
CIVIL DOCKET CONTINUATION SHEET FRUME 5.

(Rev. 1/75)		Reproduction:	Pacific Region (Laguas Niguel) VIL DOCKET CONTINUATION SHEET	FP1-WAR
PLAINTIFF		L-1	DEFENDANT	DOCKET NO. 9-217-S
RINC	ON BA	ND ET AL	ESCONDIDO MUTUAL WATER CO ET AL	PAGE OF PAGES
DATE	NR.		PROCEEDINGS	
l-17 cor	t.	(Ent. 1-17-80) M	ld cpys.	
2-14		Fld. rept of Cal 1-1-80 through 1	ifornia First Bank 13136 & 18306 f	or period of
3/13			fornia First Bank Accts13136 & 183	06 for period of
4/17		Fld rept of Cali 3/01/80 - 3/31/8 Fld rept of Cali	formia First Bank Accts 18306-00-3	
4/18			the USCA that the petition for per 1292(b) is DENIED.	cmission to appeal
5-21		Fld rept of Cal:	ifornia First Bank13136 & 18306 fo	r period of
6-17-80		-13136-03 thru 0	ifornia First Bank Acct No. 13136- M and 13136-09 thru 24 from 5-1-80	00-0, thru 01 thru 1-31-80
6-27		Fld potice of Moof P&A's and af	ru 12 from 5-1-80 thru 5-31-80 otion & motion NOTICED FOR 7-14-80 fid of Robert S. Pelcyger. Exh A A	ttached.
6-27		Fld notice of m Noticed for 9-5 Bands in suppor	otion and motion for further parti- -80 at 9am; T/W memo of U.S. and t t of their mot for fur partial sum findings of fact and conclusions ertificate of service. Exhs A,B,C,	al summary judgmt. he Rincon & La Jol mary judgment. of law and
7-7 7-7		Fld affid of Th	omas M. Wilson, T/W certif of serv of P&A's in oppoistion to mot to	ice. impose conditions
		on the reconstx	uction of hemshaw dam. AVID O. POWELL & certif of service.	
7-9 7-11	}	Fid arrid or Da	al affid of David O. Powell.	
7-11		Fld reply memo	of the U.S. in support of the Plt reconstruction of Henshw dam to re-	f's mot to impose quire flows past
7-11		Fld reply memo	of P&A's in support of mot to impof henshaw dam. (by Pltf's)	ose condition on
7-14		ENT ORD HRG P1 Henshaw Dam to Defendants to water rights,	<pre>tf'smot to impose conditions on re   require flows past diversion dam prepare order. Certif. of title, Se. Title Guaranty Co. list (19 pg   this and future hrgs. (S)</pre>	- Motion denied, copy of riparian
7-15		Fld order appo	inting Magistrate Harry R. McCue te (S) Mld cys	o conduct settle-
7~18		Fld rept of Ca	alifornia First Bank 13136-00-0 the -01-80 thru 6-30-80 alifornia First Bank 18306-00-3 the	
7-21		period from 6/ LODGED order d	01/80 thru 5/30/80. lenying motion to impose conditions of Henshaw Dam and Findings of Fa	on the
7-24		Conclusions of Fld objections Mission Indian	Law (Orig & copies to Judge S) and comments of the Rincon and Land to proposed findings of fact and denying motion to impose condition	n jolla Bands of I conclusions of
		-	•	

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Received at: 9:07AM, 5/28/2008

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Pacific Region (Laguna Niguel)

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for particle of the problem of the p	der denying, motion to impossible Dam. (S) T/W findings icate of service. (S) Er	of fact and conc t 8-13-80	lusions of law,
problemutual plan of and to denies of for personal problemutual plan of and to denies of problemutual plan of and to for personal problemutual plan of probl	elifornia First Bank Stmt of eriod 6-30-80 to 7-31-80		1
9-17-80 Fld Cl for per per per per per per per per per pe	ed a settlement discussion was were discussed. The city water co. agreed to take sliscussed earlier in the year continue the hearing on the pending contact with the contact at 4pm. (McCue)	teps to reinstate r. A motion to see motion for summer ourt by the Escor	the settlement that the proceedings ary judgment was adido parties on
9-30   I1-12- Fld mo T/W me Ent or was he ord to It is mot for before Ent or sched It is end t 10am. IT is filed it ch 11-6- All c hrng Vista Fld m 10-29   Fld m Fld m Fld m T/W me Ent or was he ord to It is mot for before Ent or sched It is end t 10am. IT is filed it ch Il-6- All c hrng Fld m	laifornia First Bank Stat of eriod 7-31-80 to 8-31-80		
7 10-10  T/W me Ent on was he ord to It is mot for before Ent or sched It is be se It is and the loam.  To and the loam it is filed it chell to hang vista Fld me B-31-10-14  To 29	d this court motion on summ 80 at 10:00am. NOTICE SENT	ALL COUNSEL (M	(C)
was he ord to It is mot for before Ent o sched It is be se It is and to loam.  IT is filed it character that the se It is filed it character than the se It is filed it character than the se It is filed it character than the second in the se	otion to cont hrag on Plrg's amo of P&A's in support and d Escondido's mot to cont	affid of Donald F	l, Lincoln.
sched   Ic is   be se   It is   and t   loam.   IT is   filed   it ch   li-6-   All c   hrng   Vista   Fld r	eard. The Court felt that a obtain affids in support of therefore ordered that the or partial summary judgment a Judge Schwartz on the motion	dditional time wa f the Deft's resp date previously a is vacated and th ing of 10-21-80 a	s required in conse. Let for hrng the lat it be re-set lat 10am. (MC)
IT is filed it ch 11-6- All c hrng Vista Fld r 8-31- 10-14 Fld n Fld N	rd this Court, Sua Sponte, uling the hrng on Pltf's mo the belief of the Court thrved by granting additional therefore ordered that the hat the hrng take place bef	t for Partial Swm at the interests of time to all the l hrng date of 10-	nary Judgment. of Justice will Parties. 21-80 be vacated
710-10 All chrng Vista Fld r 8-31-10-14 Fld n Fld N	further ordered that each with the clerk of the Cour coses to do so, may respond	t on or before 10- to Deft's respon	-29-80. Eith if se not later than
10-14   Fld n	ounsel are directed to meet before Judge Schwartz for t Settlement proposal. (Mo ept of California First Bar	he purpose of dis-	cussing the Escondi
TO-29   FIA 1	80 through 9-30-80. otice of withdrawal of coun	sel Kenneth A. Ma	rra.
re. 6	dista Trrigation Dist memo o	f P&A's in opposi	tion to mot of Plt
10-30 Fld n	ur partial summary judgmenters by Escondido Opposing latent, with appendices , T/W	'Itt's mot for fur affid of David O.	Powell.
11-6 Fld 6	alifornia First Bank monthl nt NO.s 013136-14-99 thru ( alifornia First Bank month)	y Trust Statement 13136-24-99 Class v Trust Statement	A & B ending 10-31-80
11-12   Ent o	of Escondido Tender offer N rd hrng Pltf mot for fur p tted; Lodged sheets 1&2 Rig	artial summary ju	dgment - Motion

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Received at: 9:07AM, 5/28/2008

MAY. 28. 2008 8:46AM NARA NARA HOUSENIONE holdings of the National Archives and Records AdminishO. 9411 P. 22
INDIANS, et al Pacific Region (Leggen Name Do WATER, et al 69-217-S

DO 111A (Rev. 1/75)

DATE NR. PROCEEDINGS  11-12 Ent ovd fur settlement conference held. Escondido & Vista's offers were rejected by the 5 Indian Bands. Further settlement conference will be scheduled. (McCue)  11-19 Fid memo of the United States and the Rincon and LaJolla Bends of Mission Indians in reply to Defts memo opposing fur partial summary Judgment. TW appendix A & B. Entry of appearance and Certificate Fid & McTiffy trust statement ending 11-30-80 for City of Escondido. Fid memorandum of decision and order on motion for partial summary Judgment; Flaintiffs motion for Partial summary judgment; Plaintiffs motion for Partial summary judgment; and it is hereby ordered as follows: 1. ENW's occupation of the land encoupassed by the Escondido Canal within the Rincon Reservation from 1894 to June 1924 constituted a trespace. 2. All lands constituting the La Jolla, Rincon, Paums and Falla Reservation have Minters reserved water rights westing on the dates the respect lands were received. 3. Water rights of defendants ENW and VID sre based solely on the state law of California. 4. The Bands' reserved water rights have priority dates as set forth supra in Section (C). As to all other portions of plaintiffs Motion, summary judgment is DENNED. (S) Ent 12-10-80  1981  1-81  1-82  3-4  3-4 Fid California First Bank State of accts Ulific 00-99 & 013136-25-99 ending 1-31-81  3-4 Fid California First Bank State of accts Ulific 00-99 & 013136-00-99 and O18306-00-99 and O18306-00-99 Account Type Escrow agent and Account No. 013136-23-99 Account Type Escrow agent and Account No. 013136-23-99 Account Type Trustee Under Bond Indenture, for California First Bank. Fid Nonchly Trust Statement ending 4-30-81 Account No. 013136-00-99 Account Type Escrow agent and Account No. 013136-23-99 Account Type Trustee Under Bond Indenture, for California First Bank. Fid Notice of motion and motion seeking courc's sanction than appearance of impropriety exists concerning the merger of Jennings Engstrand & Hendrikson seeking Court's annotion.  6-15  6-15  Ent o		CIVIL DOCKET CONTINUATION SHEET	
Ent ord fur settlement conference held. Escondido & Vista's offers were rejected by the 5 Indian Bands. Further settlement conference will be scheduled. (McCue) Fld memo of the United States and the Rincon and LaJolla Bands of Mission Indians in reply to Defts memo opposing fur partial summary Judgment, T/W appendix A & B. Entry of appearance and Certificate Fid monthly trust statement ending 11-30-80 for City of Escondido. Fld memorandum of decision and order on motion for partial summary Judgment; Plaintiffs motion for Partial summary judgment is granted in part and it is hereby ordered as follows: 1. ENW's occupation of the land encompassed by the Escondido Canel within the Rincon Rumary judgment is granted in part and it is hereby ordered as follows: 1. ENW's occupation of the land encompassed by the Escondido Canel within the Rincon Rumary judgment is passed solely on the state law of California, 4. The Bands' reserved water rights westing on the dates the respectilizands were reserved water rights vesting on the dates the respectilizands were reserved. 3. Water rights of defendants ENW and VID are based solely on the state law of California, 4. The Bands' reserved water rights have priority dates as set forth supra in Section (C). As to all other portions of plaintiffs' Motion, summary judgment is DENNED. (8) Ent 12-10-80  PEd California First Bank Sumt of accts UT3/16-00-99 & 013136-25-99 ending 1-31-81  PEd California First Bank Sumt of accts UT3/16-00-99 & 013136-00-99 and 018306-00-99  Fld california First Bank Sumt of accts UT3/16-00-99 Account Type Trustee Under Bond Indenture, for California First Bank. Fld monthly Trust Statement ending 3-31-81 Account No. 013136-00-99 Account Type Escrew agant and Account No. 013136-23-99 Account Type Trustee Under Bond Indenture, for California First Bank. Fld Motice of mot	PLAINTIFF	DEFENDANT	PAGEOFPAGES
Ent ord fur settlement conference held. Escondado a vista solters were rejected by the 5 Indian Bands. Further settlement conference will be scheduled. (McCue) Fld memo of the United States and the Rincon and LaJolla Bends of Mission Indians in reply to Defts memo opposing fur partial summary Judgment, T/W appendix A & B; Entry of appearance and Certificate Ffd #86fffff trust statement ending 11-30-80 for City of Escondido. Fld memorandum of decision and order on motion for partial summary Judgment; Plaintiffs motion for Partial summary judgment; so granted in part, and it is hereby ordered as follows: 1. ENW's occupation of the land encompassed by the Escondido Canal within the Rincon Reservation from 1894 to June 1924 constituted a trespace. 2. All lands constituting the La Jolla, Rincon, Paums and Fala Reservation have Minters reserved water rights vesting on the dates the respect lands were reserved. 3. Water rights of defendants ENW and VID sre based solely on the state law of California. 4. The Bands' reserved water rights have priority dates as set forth supra in Section (C). As to all other portions of plaintiffs' Motion, summary Judgment is DENNED. (S) Ent 12-10-80  Fld California First Bank Stmt of accts VI316-00-99 & 013136-23-99 ending 1-31-81  Fld California First Bank Stmt of accts VI316-00-99 & 013136-23-99 Account No. 013136-00-99 and 018306-00-99  Fld monthly Trust Statement ending 3-31-81 Account No. 013136-00-99  Account Type Escrow agent and Account No. 013136-23-99 Account Type Trustee Under Bond Indenture, for California First Bank. Fld Motice of motion and motion seeking court's sanction that no appearance of impropriety exists concerning the merger of Jennings Engstrand & Henrikson, a professional law corp, with McWillians, Awand Curnow. NOTICED FOR 6-15-81 at 10:30am.; T/W memo in support, Declaration of Faul D. Engstrand  6-15  Ent ord hrug Deft's mot for approval of law firm merger and sanction of it—Cranted Defts to prepare order incorporating Escondido Mutual Water Co. joinder in mo	DATE	NR. PROCEEDINGS	
Fild memo of the United States and the Rincon and LaJolla Bends of Mission Indians in reply to Defts memo opposing fur partial summary Judgment, T/W appendix A & B; Entry of appearance and Certificate Fid MeRFIFE trust statement ending 11-30-80 for City of Escondido. Fild memorandum of decision and order on motion for partial summary Judgment; Plaintiffs motion for Partial summary judgment is granted in part, and it is hereby ordered as follows: 1. EMW's occupation of the land encompassed by the Escondido Canal within the Rincon Reservation from 1894 to June 1924 constituted a trespass. 2. All lands constituting the La Jolla, Rincon, Paums and Pala Reservation have Winters reserved water rights vesting on the dates the respect lands were reserved. 3. Water rights of defendants flaw and VID are based solely on the state law of California. 4. The Bands' reserved water rights have priority dates as set forth supra in Section (C). As to all other portions of plaintiffs' Motion, summary judgment is DENIED. (S) Ent 12-10-80  1981 1-81 1-82 1-84 1-85 1-86 1-87 1-98 1-88 1-81 1-81 1-81 1-82 1-99 1-99 1-99 1-90 1-90 1-90 1-90 1-90	1980 11-12	were rejected by the 5 Indian Bands. Further se	Stilement conterence
Fild memorandum of decision and order on motion for partial summary Judgment; Plaintiffs motion for Partial summary judgment is granted in part, and it is hereby ordered as follows: 1. EMW's occupation of the land encompassed by the Escondido Canal within the Rincon Reservation from 1894 to June 1924 constituted a trespass. 2. All lands constituting the La Jolla, Rincon, Pauma and Fala Reservation have Winters reserved water rights vesting on the dates the respect lands were reserved. 3. Water rights of defendants EMW and VID are based solely on the state law of Californis. 4. The Bands' reserved water rights have priority dates as set forth supra in Section (C). As to all other portions of plaintiffs' Motion, summary judgment is DENIED. (S) Ent 12-10-80  1981 1-8 1-12 Fild California First Bank Stat of accts 13136 & 1839 & 013136-25-99 ending 1-31-81 3-4 Fild monthlytrust statement ending 2-28-81 for city of Escondido, account No. 013136-00-99 and 018306-00-99 Fild monthly Trust Statement ending 3-31-81 Account No. 013136-00-99 Account Type Escrow agent and Account No. 013136-23-99 Account Type Trustee Under Bond Indenture, for California First Bank. Fid monthly Trust Statement ending 4-30-81 Account No. 013136-00-99 Account Type Escrow agent and Account No. 013136-23-99 Account Type Trustee Under bond Indenture, for California First Bank. Fid Notice of motion and motion seeking court's sanction that up appearance of impropriety exists concerning the merger of Jennings Engstrand & Henrikson, a professional law corp, with McWilliams, A and Curnow. NOTICED FOR 6-15-81 at 10:30am.; T/W memo in support, Declaration of Paul D. Engstrand 6-15 Ent ord heng Defic's mot for approval of law firm merger and sanction of it- Cranted. Defits no prepare order incorporating Escondido Mutual Water Co.'s joinder in motion, and sanction of the merger. (Fild City of Escondido & Escondido Mutual Water Co. joinder in moti by Jennings. Engstrand & Renrikson, that no appearance of improprie exists concerning the merger of Jennings. E	11-19	Fld memo of the United States and the Rincon and Mission Indians in reply to Defts memo opposing Judgment, T/W appendix A & B; Entry of appearan	ce and Certificate
Judgment; Plaintiffs motion for Partial summary Judgment is garted in part, and it is hereby ordered as follows: L. ENW's occupation of the land encompassed by the Escondido Canel within the Rincon Reservation from 1894 to June 1924 constituted a trespass. 2. All lands constituting the La Jolla, Rincon, Pauma and Fala Reservations have Winters reserved water rights vesting on the dates the respect lands were reserved. 3. Water rights of defendants ENW and VID are based solely on the state law of California. 4. The Bands' reserved water rights have priority dates as set forth supra in Section (C). As to all other portions of plaintiffs' Motion, summary judgment is DENIED. (S) Ent 12-10-80  Fild California First Rank Stmt of accts UIJIA & 1830 to 13136-25-99 ending 1-31-81  Fild monthlytrust statement ending 2-28-81 for city of Escondido, account No. 6013136-00-99 and 6018306-00-99  Fild monthly Trust Statement ending 3-31-81 Account No. 613136-00-99 Account Type Escrow agent and Account No. 613136-23-99 Account Type Trustee Under Bond Indenture, for California First Bank.  Fild monthly Trust Statement ending4-30-81 Account No. 613136-00-99 Account Type Escrow agent and Account No. 613136-23-99 Account Type Trustee Under bond Indenture, for California First Bank.  Fild Notice of motion and motion seeking court's Banction that no appearance of impropriety exits concerning the merger of Jennings Engstrand & Eenrikson, a professional law corp, with McWilliams, A and Curnow. NOTICED FOR 6-15-81 at 10:30am.; T/W memo in support, Declaration of Faul D. Engstrand  Fild Calist Bank statements of accts #13136  Fild response to motion of Jennings. Engstrand & Hendrikson seeking court's sanction.  Ent ord hrug Deft's mot for approval of law firm merger and sanction of it - Granted. Defts to prepare order incorporating Escondido Mutual Water Co.'s joinder in motion, and sanction of the merger. (Fild City of Escondido & Escondido Mutual Water Co. joinder in motiby Jennings, Engstrand & Henrikson, vid McWilliams, Amos & Curnow	12-9	FIG monthly trust statement ending 11-30-80 for	City of Escondido.
Fld California First Bank Stmt of accts 13136 & 18306 & 013136-25-99 ending 1-31-81  3-4 Fld monthlytrust statement ending 2-28-81 for city of Escondido, account No.s 013136-00-99 and 018306-00-99 Account Type Escrow agent and Account No. 013136-00-99 Account Type Escrow agent and Account No. 013136-00-99 Account Type Escrow agent and Account No. 013136-23-99 Account Type Trustee Under Bond Indenture, for California First Bank. Fld monthly Trust Statement ending 4-30-81 Account No. 013136-00-99 Account Type Escrow agent and Account No. 013136-23-99 Account Type Trustee Under bond Indenture, for California First Bank. Fld Notice of motion and motion seeking court's sanction that no appearence of impropriety exists concerning the merger of Jennings Engstrand & Eenrikson, a professional law corp, with McWilliams, Au and Curnow. NOTICED FOR 6-15-81 at 10:30am.; T/W memo in support, Declaration of Paul D. Engstrand Fld Calist Bank statements of accts #13136 Fld response to motion of Jennings, Engstrend & Hendrikson seeking court's sanction.  6-15 Ent ord hrug Deft's mot for approval of law firm merger and sanctio of it - Granted. Defts to prepare order incorporating Escondido Mutual Water Co.'s joinder in motion, and sanction of the merger. ( Fld City of Escondido & Escondido Mutual Water Co. joinder in moti by Jennings, Engstrand & Henrikson, wi McWilliams, Amos & Curnow.  Fld Atty for Defts City of Escondido & Escondido Mutial Water Compar Order sanctioning the merger of Jennings, Engstrand & Henrickson, wi professional law corporation with McWilliams, Amos & Curnow (5) (En	12-10	Judgment; Plaintiffs motion for Partial summary in part, and it is hereby ordered as follows: 1. the land encompassed by the Escondido Canel with Reservation from 1894 to June 1924 constituted a lands constituting the La Jolla, Rincon, Pauma a have Winters reserved water rights vesting on the lands were reserved. 3. Water rights of defendabased solely on the state law of California. 4. water rights have priority dates as set forth sum as to all other portions of plaintiffs' Motion.	EMW's occupation of in the Rincon a trespass. 2. All and Pala Reservations he dates the respectivents EMW and VID are. The Bands' reserved for a in Section (C).
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Fld Notice of motion and motion seeking court's sanction that no appearance of impropriety exists concerning the merger of Jennings Engstrand & Henrikson, a professional law corp, with McWilliams, As and Curnow. NOTICED FOR 6-15-81 at 10:30am.; T/W memo in support, Declaration of Paul D. Engstrand Fld Ca 1st Bank statements of accts #13136  Fld response to motion of Jennings, Engstrand & Hendrikson seeking court's sanction.  Ent ord hrng Deft's mot for approval of law firm merger and sanctio of it - Granted. Defts to prepare order incorporating Escondido Mutual Water Co.'s joinder in motion, and sanction of the merger. (Fld City of Escondido & Escondido Mutual Water Co. joinder in moti by Jennings, Engstrand & Henrikson, that no appearance of improprie exists concerning the merger of Jennings, Engstrand & Henrikson, wi McWilliams, Amos & Curnow.  Fld Atty for Defts City of Escondido & Escondido Mutial Water Compar Order sanctioning the merger of Jennings, Engstrand & Henrickson, approfessional law corporation with McWilliams, Amos & Curnow (S) (Engstrand & Henrickson)	5-7	Fild monthly Trust Statement ending4-30-81 Account Type Escrow agent and Account No. 01313	ount No. 013136-00-99 36-23-99 Account Type
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of it - Cranted. Defts to prepare order incorporating Escondido Mutual Water Co.'s joinder in motion, and sanction of the merger. ( Fld City of Escondido & Escondido Mutual Water Co. joinder in moti by Jennings, Engstrand & Henrikson, that no appearance of improprie exists concerning the merger of Jennings, Engstrand & Henrikson, wi McWilliams, Amos & Curnow.  Fld Atty for Defts City of Escondido & Escondido Mutial Water Compan Order sanctioning the merger of Jennings, Engstrand & Henrickson, a professional law corporation with McWilliams, Amos & Curnow (S) (En	6-5-81 6-11	Fld Ca 1st Bank statements of accts #13130 Fld response to motion of Jennings, Engstrand court's sanction.	
by Jennings, Engstrand & Henrikson, that no appearance of improprie exists concerning the merger of Jennings, Engstrand & Henrikson, wi McWilliams, Amos & Curnow.  Fld Atty for Defts City of Escondido & Escondido Mutial Water Compar Order sanctioning the merger of Jennings, Engstrand & Henrickson professional law corporation with McWilliams, Amos & Curnow (S) (Engstrand & Henrickson Engstrand & Henrickson Engs	6-15	of it - Granted. Defts to prepare order incorp	orating Escondido ion of the merger. (S
6-25 Fld Atty for Defts City of Escondido & Escondido Mutial Water Compar Order sanctioning the merger of Jennings, Engstrand & Henrickson, a professional law corporation with McWilliams, Amos & Curnow (S) (En	by Jennings, Engstrand & Henrikson, that no appearance exists concerning the merger of Jennings, Engstrand &		earance of impropriet rand & Henrikson, wit
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Received at: 9:07AM, 5/28/2008

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Pacific Region (Laguna Niguel)

DC 111A (Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF			DEFENDANT		POCKET NOS9-217-8(M)
MISSION	BAN	OF INDIANS	ESCONDIDO MUTUAL		PAGE DOFPAGES
DATE	NR.		PROCEEDINGS		
7-7-81		Fld California Firs	st Bank statements of accts #	g .	13136-00-99thru
1		12126 28-00 654 401	18306-00-99 fbrn 018306-12-99.	_	i
8-7-81 9-10		Fld California Firs	t Bank Stmt of acets 13136 & Bank Stmt of acets 13136 &	183	06 through
] ]-10		77 03 70			1
10/13		Fld California Fir	st Bank Stmt of accts 13136-1 99 thru 18306-12-99 ending 9/	9-7 30/	81.
11/13		Fld California Fire	st Bank Stmt of accts 13136-0 99 thru 18306-12-99 ending 10	0-9 /31	9 thru 13136-28-99
12/1		Fld not of mot and	mot for leave to file and ser	ve efo	additional inter- ore Mag McCue.
		interrogatories	n support of mot for leave to		į –
1		Eld decleration of	mot for leave to file and ser	ve_	interrogatories
		Fld dfts city of es	condido and the escondido mut et set to united states on be	ua. hal	I water companys
		fild propost of serv	as to all entrys docketed on	$\perp z_i$	( L
12/14		Fld California Fire	t Bank Stmt of acets 13136-00	)-99	9thru 13136-30-99
12/14		Ending 11/30/81. Fld California Firs Ending 11/30/81.	t Bank Stmt of accts 18306-00	)-99	9thru 18306-12-99
1982 1/11					(-0.100.)
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1/20			rst Bank statements of accts	#'s	018306-00-99 thru
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1/21	1	Fld stip & ord re	interrogs.(MCCUE)		
1/29		Fld stip & ord re	investment of funds. (S)		·
2/17		1 4 1	F ESCONDIDO request for produ		
		Fld deft CITY OF	ESCONDIDO's Ntc of Mot & Mot h require a separate trial of am t/w exhibs & memo of P/As	ve	CLICULS INDUCES OF L
2/18		Fld cert of serv	of the USA's 2nd set of Inter	rog	s on all parties
2/25	1	on 2/4/82 Fld deft CITY OF DAVIED P. CURNOW	ESCONDIO & ESCONDIDO MUTUAL Win supp of mot to be relieved	IATE	R's declar of stips t/w
<b>)</b> ,		exhibs.	memo of P/As in supp of mot i		· · · · · · · · · · · · · · · · · · ·
. 3/15		separate trial of	s' mot for relief from stip & f various issues-hrg contd to	or 4/	ds which require a 26/82 at 10:30
3/16		am (stip to follow Fld platf's stip ogs to 4/26/82.	p & ord for extension of time	fo	r answering interr
		Fld plntf's stip	& ord re cont of hrg on Mot 5/82 at 10:30 am to 4/26/82 a	fo t l	r relief from stips 0:30 am.(8)
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Received at: 9:07AM, 5/28/2008

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Pacific Region (Laguna Niguel)

DC 111A (Rev. 1/75)

PAGE OF PAGES  4-14  Fild for pltfs - memo of pts & auths of the La Jolla & Rincon stipulations & & ords bifurcating the trial of this case t/w cert of serv.  Fild for pltfs - USA's response in opposition to defts' mot for relief from stipulations & & ords bifurcating the trial of this case t/w cert of serv.  Fild deft not of mot & mot to comel answer to intervog propounded to production & second set of intervog you 4-26-82. (S) not for relief from stipulations & ords t/w cert of snawering request for production & second set of intervog. you 4-26-82. (S) Fild mom of p/a of La Jolla & Rincon Banks in oppo to Escondido mot mot for tellef from stlp & ord befurcation the trial of this case/ Ent ord brag deft mot for relief from the stlp & ord which require a separate trial of various issues mot off cal cont to 8-16-82 at 2pm for status conf brg. (S)  Fild sitp & ord parties shall report to the court on 8-16-82 at 2pm (S)  Fild sitp and ord for extension of time for answering interrogatories. It is hereby stip by and between the parties that Escondido's time for answering the United States' First Set of Interrogatories is extended to April 26, 1982. (S)  Fild stip and ord, it is ord that dft Escodido Mutual Water Commany shall be granted en additional extension of time of 60 days to respond to the United States Fider Set of Interrogatories, which will make a response sue on August 24, 1982. The Rincvon and La Jolla Bands shall be granted an additional extension of time of 60 days to respond to Escondido Mutuals First and Second Set on Interrogatories which which will make a response due on August 24, 1982. (THRENTINE.)  Fild Seimi-Annual Trust Statement ending 6/30/82 on Acct #'s 01306-00-99.  Ent ord good cause appearing to the court and on the court's own mot these cases presently set for hrg on 8/16/82 at 10:30am, before the Hedward J. Schwartz, is hereby ord cont to 8/23/82 st 10:30am, (S).  Ent ord good cause appearing to the court and on the court's own mot the matter presently set for hrg on 8/16/82 at 2:00p.	PLAINTIFF	_	CIVIL DOCKET CONTINUATION SHEET  DEFENDANT	
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Received at: 9:07AM, 5/28/2008

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Re. NARA col from the holdings of the National Archives and Records Adminisho. 9411 P. 25

Profite Region (Laguar Nignel)

Fredericks & Pelcygen

ATTORNEYS AT LAW

1007 PEARL STREET, SUITE 240

BOULDER, COLORADO MISSIS

(303) 443-1868

THOMAS R. ACEVEDO'
THOMAS W. FREDERICKS
SCOTT B. MCELROV''
ROBERY S. PELCYGER'''
OALE T. WHITE '''

TOM W. ECHOHAWK (1952-1962)

OF COUNSEL
JENNIFER M. PYLE ....

JENNIFER M. PYLE

""ADMITTED ONLY IN OREGON

"ADMITTED ONLY IN VARDINIA.
"ADMITTED ONLY IN ORLICORNIA AND NEW YORK
""ADMITTED ONLY IN NEW YORK

13 September 1983

Mr. William W. Luddy, Clerk United States District Court for the Southern District of California 1 N 20 U.S. Courthouse 940 Front Street San Diego, CA 92189

Re: Rincon Band of Mission Indians, et al., v. Escondido Mutual Water Co., et al., Civ. No. 69-217-5, etc.

Dear Mr. Luddy:

Please amend your service list in the above referenced cases to reflect the following changes in the attorneys for the Indian Bands:

1. The address of Robert S. Pelcyger has been changed to:

Robert S. Pelcyger FREDERICKS & PELCYGER 1007 Pearl Street, Suite 240 Boulder, CO 30302 (303) 443-1683

2. The Native American Rights Fund attorney responsible for the case is Jeanne S. Whiteing. Her address remains

1506 Broadway Boulder, CO 80302 (303) 447-8760

3. The California Indian Legal Services attorney responsible for the case is Charles Scott. The address is:

Box 2457 1860 So. Escondido Blvd. Escondido, CA 92025 (714) 746-8941

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Received at: 9:07AM, 5/28/2008

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NARA
Represented from the holdings of the National Archives and Records Adminis NO. 9411 P. 26
Pacific Region (Laguna Niguel)

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CLERK, S. 1-2...... COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

### Case 3:69-cv-00217-S-HRM Document 1 Filed 05/28/08 Page 26 of 33

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William W. Luddy 13 September 1983 Page Two

Thank you for your assistance. If your have any questions, please let me know.

Sincerely yours,

Robert S. Pelcyger

RSP/dv

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11/15		2:00p.m. Discover	onf held mots to intervene to by mots if any to be hrd 2/14 preliminary P/T ord by 4/14/	4/83 at 2:00p.m.Counsel to
12/13		Ent ord hrg mots at 2:00p.m.(S).	to intervene and mot to add	party dft-cont to 1/24/83
1/3/83		America on 1/28/	production of documents of t 83 at 9:30a.m.	•
1/12/83		13136-34-99 and	irst Bank statement of accts #018306-00-99 thru 018306-12	2-99.
1/24		mots to Interver dft-off calendar Fld stip.that sa	aid parties shall not oppo the by the San Pasqual, Pala and	A.'s mot to add party ne granting of the mots to
3/14		LODGED status co	onf statement and ord re P/T	subject.
3/17	3	1d status conf st time table for P commence on 3/19	atement and ord re P/T sched /T proceedings is adopted, a /84.(SCHWARTZ).	l, it is ord that the above and the trial is to
3/18		on 4/22/83 at 9:	production of document of Un 30a.m.	
4/4		Fld dfts City of request for produ on 4/22/83 at 9:3	Escondido and Escondido Mutu action of documents from Unit Oa.m.	nal Water Company's ced States of America
5/16		Fld mot for exte	nsion of time to respond to f documents to be extended to	to 5/16/83.(MCCUE).
5/18			response to dfts request for	
5/26		6/16/83 at 9:30a		•
6/13		Water Company's m	to dfts City of Escondido's of to compel production of d	locuments.
6/16 6/22		Ent ord dfts mot Fld not of appead Fld statement of	to compel production of doca l . appeal.	uments-denied.(MCCUE).
7/13 7/29		mot to compel pr	ief in support of Maistrates oduction of documents.	ord denying Escondido's
8/2 8/3		Fld appellants r Fld California Fi Fld California Fi	eply brief. rst Bank Stmt of accts 18306 rst Bank Stmt of accts 13136	6-00-99 thru 18306-12-99 6-00-99 thru 13136-36-99
10/20		Fld pltf Rincon !	Band's response to dfts requ contentions. a Band's response to dfts re	est for darafication

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Pld certificate of serv			
serv on pltf any modifi shall & confer concerni file an agreed upon P/T the parties shall excha	rve on deft a propose ication to the propos ing the proposed P/T T ord 1-21-85 a P/T	d P/T ord, 12-10-84, defi ed P/T ord, 12-14-84 the ord, 1-7-85, the parties conf shall be held, on ;	part shal 3-13-
Fld pltf supplemental r			
Fld pltf supplemental r	•	uest for clarification of	the
Fld cert of serv as to	o two above entrys. Stmt of accts 13136 &	18306 for 6/30/84.	
- 4's 013136~00~99. & 0	)13136-01-99. and #	013120-03-33 rmroa8n	<b>.</b>
	file an agreed upon P/ the parties shall excha cert of serv Fld pltf supplemental t the bands contentions Fld pltf supplemental t Bands contentions Fld cert of serv as to Fld Calif. First Bank Fld Calif. First Bank	file an agreed upon P/T ord, 1-21-85 a P/T the parties shall exchange P/T briefs, 4-1-cert of serv Fld pltf supplemental responses to deft require bands contentions Fld pltf supplemental responses to deft require bands contentions. Fld cert of serv as to two above entrys. Fld Calif. First Bank Stmt of accts 13136 & Fld Calif. First Bank Semi-Annual Trust Stm A's 013136-00-99. & 013136-01-99. and #	Fld pltf supplemental responses to deft request for clarification of the bands contentions Fld pltf supplemental responses to deft request for clarification of Bands contentions.

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tev. 1/75)		r)\/II	DOCKET CONTINUATION SHEET	
PLAINTIF	F		DEFENDANY	69-0217-50
RINÇON INDIAN		OF MISSION	ESCONDIDO MUTUAL WATER CO., ET AL.	PAGE 2 OF PAGES
DATE	NR.		PROCEEDINGS	,
1985				
1-21		Ent Ord, Cont'd to	7-23-85 at 9:00 a.m. for P/T	Hrg (S)
2/6		of ord granting	gation District not of mot and partial S/J and separate mot fo 5 at 9:00a.m.	or Partial 5/3 to
	<b>_</b>	for reconsiderat	gation District memo of P/A's ion of ord granting partial S/	and separate mot
		Fld dfts City of E	scondido and Escondido Mutual (	
		of mot for recor	gation District supplemental a sideration of ord granting par S/J.	rist 2/2 gud sebara
2=22		Ent Ord, For good date of March 7 on April 8, 198	cause appearing & on the Court, 1985 set for hearing motions, at 9:00 a.m. before Judge Sc	hwartz in Ct. Rm. 4
3/11		Fid not of change	of address of atty for Indian	Bands.
3/22		Fld Bands' memo of granting partial	P/A's in oppo to mots for reco S/J and for partial S/J	nsideration of ords
3/25		partial 9/J and :	response to mot for reconsider separate mot for partial S/J.	
3/26		re; P/T nad Tria.	gation District stip and ord re L sched; Parties shall file an Dsed P/T ords on 9/17/85; On 9/ nall commence on 11/12/85.(SCHW	agreed upon P/T ord 24/85 a P/T conf sh
4/3		Fld dfts City of Edmemo of P/A's in	scondido and Escondido Mutual W support of mot for reconsidera not for partial S/i.	ater Company reply tion of ords granti
		Fld dft City of Esc of Donald R. Line	condido and Escondido Mutual Wa coln.	
4/4		-ot for reconsid		
4/8		Erg Dft Vista Irriga District Mot for rec Irrigation District	11/12/85 vacated and reset for same of ation Dist. & City of Escondido & Esconsideration of oxis granting partial and City of Escondido and Escondido a ten under submission.Court will prepa	ondido Mutual Water 1 S/J and hrg dft Vista Mutual Water District M
4/11	ļ <b>.</b>	Fld statement of addit	ional authorities.	
4/26		Fld Bands supplemental	memo of P/A's in oppo to dfts' mot f	or reconsideration.
5/6			m District's reply to Bands' supplem	ental response to
5/6		dfts mots for recons: Fld dft Vista Inrigation Company and Vista In 25, 1985	nderation. On District reply by City of Escondid rigation District to Rands' Supplement	o, Escondido Mutual Wat tal memo Dated April
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CIVIL DOCKET CONTINUATION SHEET DEFENDANT PLAINTIFF DOCKET NO. PAGE ___OF_ PAGES PROCEEDINGS DATE NR. 1985 Fld memo decision on mot for reconsideration of amended ord for partial S/J and on new 5/22 mot for partial S/J, It is ord as follows: the 1894 contract is not valid for falling to comply with 25 U.S.C. 81; The 1894 contract is not invalid under 8 of MIRA. As to Potrero and Rincon Bands, the 1908 permut is not invalid under 8 of MIRA. The 1908 pagnit is invalid to the extent that it purports to grant a right of way across the San Pasqual Reservation. The 1914 contract is invalid to the extent that it purports to allienate or convey the 1.72 acres of land on which the Rincon power plant was constructed. The 1914 contract is invalid to the extent that it purports to be a conveyance or limitation of the Rincon Band's water rights in the San Luis Rey River. The 1922 contract is invalid to the extent that it puports to be a conveyance or limitation of the Rincon or Pala Bands' water rights in the San Luis Rey River Dfts mot for S/J that the 1924 Federal Power Commission license granted Escondich Mutual Water Company rights of way for al its projects across the La Jolla, Rincon and San Pasqual Reservations is denied. (SCHWARIZ). Ent 5/22/85. Fld Calif ist Bank Semi-Annual Trust Stmts ending 6-30-85. 7-17 Acct #'s 013136 & 018306. Fld Defts Vista Irrigation District. Stip & Order re: Suspension of P/T & Trial Schedule Pending Settlement, Its Ordered that the suspen sion of P/T & Trial dates & Due dates for Pending discovery is approved Adopted.(S) 1986 Pld Calif 1st Bank Semi Annual trust Stmts ending 12-31-85 acct#'s 013126 & 108306.

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CIVIL DOCKET CONTINUATION SHEET PLAINTIPP. DEFENDANT DOCKET NO. 69-217-S PAGE 2/OF · PAGES ESCONDIDO MUTUAL, ET AL RINCON BANK OF MISSION, ET AL **PROCEEDINGS** NR. 1986 7-15 Fld Calif First Bank semi-annual trust statement ending 6-30-86. Acct. #s 018306-00-99 through 018306-02-99.013136-00-00 through 013136-01-99. 013136-03-99 through 013136-48-99. 1987 Fld Calif First Bank semi-annual trust statmt ending 6-30-87. 7-16 Acct. #s 013136-00-99 to -13136-52-99. Acct #s 018306-00-99 thru 018306-12-99. 1988 Fld Calif First Bank Semi-annual trust stmt ending 12-31-87. 1-11 Acct. #s 013136-00-99 through 013136-60-99. Acct. #s 018306-00-99 through 018306-12-99. FLD NOT of mot & mot to modify the ct's impound orders by releasing May 24 all impounded sums to the former shareholders of Escondido mutual water C. & to the city of Escondido FLD MEMO OF PS & AS in supp of mot to modify the ct's impound orders t/w declar of serv NOTICE of ldging by City of Escondido & Escondido Mutual Water Co. JUN 10 LODGED closing docs for completion of cash tender offer by City of Escondido & dissolution & liquidation proceedings of Escondido Mutual Water Co. Dec 1987 LODGED memo- Analysis of fiscal impacts if city finalized the 1970 tender offer in 1987 STIPULATION & ORD(S) FLD ext ti to fle resp to city of Excondido's 6/28/88 mtn re release of sums to 7/11/88, reply due 7/25/88. MOTION of dfts City of Escondido & Escondido Mutual Water Co for 6/27/88 approv1 of Federal Energy Regulatory Commission re annual license 8/1/88 10:30 A.M. Jul 25 SEMI- ANNUAL TRUST STATMT frm Calif First Bank, ending 6-30-88. Acct. #s 013136-00-99 thru 013136-60-99. & 018306-00-99 thru 018306-12-99 Jul 27 MOTION & MEMORANDUM to defer consideration of Escondido's pending (OK to file by Neil) mots t/w declar of serv MINUTE ORD: Hrg defts mot to modify court's impound ord- ordered Aug 1 off calendar (SCHWARTZ) ORDER: Hrd sched for 8-1-88 on two pending motions is vacated & Aug 2 City of Escondido & the Escondido Mutual Water Co may renotice the hrg on the two mots if a mutually satisfactory resolution is not reached by 9-2-88. (S) cpys mld

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PLAINTIF	•		DOCKET NO. 69-217-S
RINCON		ESCONDIDO MUTUAL WATER CO	PAGEOFPAGES
DATE NR. PROCEEDINGS			
Nov 2		NOTICE of hearing on 12-5-88 @10:30 t/w declar of	of serv
Nov 23		NOTICE of cont of hrg frm 12-5-88 to 12-12-88 @3 serv	10:30 t/w declar of
Dec 12		MINUTE ORD: firg defts mot to release all sums, a which have been impounded; a for court approval Fero may take in connection with annual lecense signed/filed. (S)	of such actions as
		STIPULATION : Releasing impounded funds & other I	matters (\$) cpys mld
		STIPULATION waiving right to challenge or appeal & other matters. (S) cpys mld	ord releasing funds
	-	NO FUTTHER ENTRIES ON THIS DOCKET SEE AUTOMATED DOCKET	
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Pacific Region (Laguna Nignel)

Proceedings include all events.

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3:69cv217

' Rincon Band of Mssn v. Escondido Mutual Wat

11/20/87 --

City of Escondido's filing of certified statment of Rbert G. Beckman, Trust Officer, Union Bank by defendant Escodido Mutual Water per Court Order dated 12/12/88 re: release of previously impounded funds t/w decl of serv. (mc) [Entry date 12/11/89]

12/13/90 -

Minutes: Enter Order by Judge Edward J. Schwartz: Case pending for over three years, and all presently contemplated proceedings having been completed, clerk is instructed to submit a JS-6 for statistical closing to administrative office; nothing contained in minute entry shall be considered a dismissal/disposition of matter, terminating case JS6 (dh) [Entry date 12/19/90]